

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16575 of 2021

Arising Out of PS. Case No.-140 Year-2019 Thana- KARJA District- Muzaffarpur

Munna Kumar Yadav @ Shakti Suman @ Munna Yadav, Son of Balram Rai,
Resident of Village-Raksa, P.S. - Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Ms. Bela Singh, Advocate
For the Opposite Party/s	:	Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-10-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Karja
P.S. Case No.140 of 2019, G.R. No.1032/19 for the offence
punishable under Sections 30(a) and 38 of the Bihar Prohibition
and Excise Act.

The prosecution case is that on secret information
that liquor is being transported illegally through a truck, the
truck in question was intercepted from which 5749.560 litres
country made liquor were recovered. It is alleged that apart from
the driver of the truck, one Manjay Kumar was found sitting in



the truck in question who disclosed the names of co-accused Shakti Suman, Kundan Kumar and the petitioner as the persons who were involved in getting the illicit liquor transported. It is also alleged that one mobile phone was recovered from the possession of the petitioner.

Counsel for the petitioner submits that both, the driver of the truck in question; and the person sitting in the truck, namely, Manjay Kumar, have been allowed bail in Cr.Misc. Nos.50050 of 2019 and 50903 of 2019, vide orders dated 09.08.2019 and 23.08.2019 respectively. It is further submitted that similarly situated co-accused Kundan Kumar has been allowed bail in Cr.Misc. No.62315 of 2019, vide order dated 23.10.2019. The petitioner is in custody since 17.12.2020. He is involved in four other criminal cases, out of which he is on anticipatory bail in three cases.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.



Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Karja P.S. Case No.140 of 2019, G.R. No.1032/19, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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