

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31849 of 2020

Arising Out of PS Case No.-339 Year-2019 Thana- PAKARIDAYAL District- East
Champaran

=====

Munchun Raut, aged about 36 years, Male Son of Shiv Raut Resident of
Village- Harnathpur, P.S.- Pakaridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Pandey, Advocate
For the State	:	Mr. Md. Anzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 06-01-2021

Heard Mr. Pramod Kumar Pandey, learned counsel for
the petitioner and Mr. Md. Anzarul Haque Sahara, learned
Additional Public Prosecutor (hereinafter referred to as the ‘APP’)
for the State.

2. The petitioner is in custody in connection with
Pakaridayal PS Case No. 339 of 2019 dated 27.10.2019, instituted
under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner and another
person is that he was involved in illegal trade of liquor and on raid
being conducted by the police 50.700 litres of wine was recovered
from his house.



4. Learned counsel for the petitioner submitted that he has no criminal antecedent and the recovery was from the thatched house for cattle without any door and the seized liquor was planted by some other person. It was further submitted that the petitioner is in custody since 28.08.2020.

5. Learned APP submitted that the hut also belongs to the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-7 cum Special Judge under Excise Act, East Champaran at Motihari in Pakaridayal PS Case No. 339 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The



petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

8. However, the main application supported by affidavit shall be e filed in this Court by learned counsel for the petitioner latest by day after tomorrow.

(Ahsanuddin Amanullah, J.)

Anand Kr.

AFR/NAFR	
U	
T	

