

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39953 of 2020

Arising Out of PS. Case No.-353 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

Maniya @ Mani Kumar @ Sujit Kumar, S/o Arun Sah, R/o Mathurapur, P.S.-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-07-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Samastipur Mufassil P.S. Case No. 353 of 2020, registered
under Sections 147, 148, 149, 225, 323, 333, 335, 341, 353 and
504 of the Indian Penal Code and Sections 30(a), 32(a) and
41(a) of the Bihar Excise Act, 2016.

The accusation is that on receiving secret
information about parking of truck loaded with illicit liquor and



other vehicles in village Rampur Dudhpura by Suresh Rai and his sons, the informant along with other police personnel reached there near the house of Suresh Rai then saw that 50 yard north a truck was parked. On seeing the police party, all started to flee away, but on chased, three persons were apprehended, while others succeeded to flee away. The caught hold persons disclosed their names as Suresh Rai, Swami Narayan Arwala @ Ajay and Niraj Kumar. One Bolero and Scorpio vehicles were also parked there. On search of truck bearing registration no. BR 2GA 4214, several bottles of Indian made foreign liquor in the volume of 3616 litres, on search of Bolero vehicle bearing registration no. BR 033E 8290, several bottles of Indian made foreign liquor in the volume of 315 litres and on search of Scorpio vehicle, which was without registration number, several bottles of Indian made foreign liquor in the volume of 72 litres were recovered. On query, the caught hold person, Swami Narayan, disclosed that his brother, Dharmvir Rai, Abhishekh Yadav and Maniya @ Mani Kumar @ Sujit Kumar (petitioner) were engaged in carrying the illicit liquor loading in said truck.

Learned counsel for the petitioner submits that petitioner is not the relative of caught hold three persons nor he was apprehended at the spot but his name has surfaced in the



confessional statement of co-accused, Swami Narayan, who was apprehended near the truck and other vehicles, from which, several bottles of Indian made foreign liquor are said to be recovered. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise, Samastipur, in connection with Samastipur Mufassil P.S. Case No. 353 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

