

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64024 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- NADI P.S. District- Patna

MUNNA KUMAR S/O SRI RAM NARESH RAI R/o village- Jethuli, P.S.-
Nadi, Distt.- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 1478 of 2021 arising out of Nadi P.S. Case No.
33 of 2021 for the offence registered under Sections 420, 467, 468,
471/34 of the Indian Penal Code and Sections 30(a), 36 and 41 of
the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of
illicit liquor from a truck and two persons were arrested who are
stated to have disclosed the name of the petitioner to be one of
their accomplice.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing in
custody since 28.07.2021. The learned counsel for the petitioner
has further referred to paragraph no. 9 of the present petition to



submit that the petitioner is having no concern with the alleged occurrence and the owner of the truck in question.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has neither been apprehended from the spot nor any liquor has been recovered from his conscious possession, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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, Patna in connection with Special Case No. 1478 of 2021 arising out of Nadi P.S. Case No. 33 of 2021.

(Mohit Kumar Shah, J)

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