

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15755 of 2022**

Arising Out of PS. Case No.-378 Year-2021 Thana- KANTI District- Muzaffarpur

Navnit Kumar@ Navnit Thakur@ Munna Son Of Ravi Bhushan Thakur @
Navin Thakur Resident Of Village - Hardaspur, P.S.- Kanti, Distt.-
Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 15-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State by virtual mode.

The petitioner seeks bail in connection with Kanti
(Panapur O.P.) P. S. Case No. 378 of 2021 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act,2016.

As per prosecution case, there is alleged recovery of
60.72 litre foreign liquor from car in question and the house of
the co-accused Ravi Bhushan Tkakur who is father of present
petitioner. It is alleged that co-accused has been apprehended
and petitioner fled away from the spot



Learned counsel for the petitioner submits that petitioner is in custody since 16.12.2021 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the evidence. Learned counsel for the petitioner further submits that alleged recovery has been made from the car in question and the house of the co-accused Ravi Bhushan Thakur and this petitioner has been made accused only being the son of co-accused Ravi Bhushan Thakur and petitioner has no concern with the seized liquor. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has been falsely implicated in this case. It is further submitted that petitioner was not apprehended on the spot.

The learned A.P.P. for the State vehemently opposes the prayer for the bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration that petitioner was not apprehended on spot and the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Special Judge Excise Court No. 2, Muzaffarpur in connection with Kanti (Panapur O.P.) P. S. Case No. 378 of 2021, subject to following conditions:-

(I) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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