

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54050 of 2021

Arising Out of PS. Case No.-405 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

MUNNA KUMAR Son of Lalbabu Ray R/o Village Bara Jagarnath, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mrs.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with Ahiyapur PS Case No.405 of 2021 registered for the offence under Sections 272 / 273 of the IPC, 20 / 22 of the N.D.P.S. Act and Section 30(a) / 36 of the Bihar Prohibition and Excise Act 2016.

Police on the basis of secret information raided the house of the petitioner and recovered 750 ml of illicit foreign liquor from his house and upon seeing the police party one person standing in front of the door of the petitioner started fleeing away, who was arrested and upon search 15 sachet of *smack* was recovered from his possession.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent of similar nature of offence under the Excise Act and a small quantity of 750 ml of



illicit foreign liquor has been recovered from the joint house of the petitioner. He next submits that *smack* has not been recovered from the house of the petitioner but from the person who was standing outside the door of the petitioner. 15 sachet of *smack* has not been recovered from inside the house of the petitioner. The petitioner is in custody since 23-06-2021.

Regard being had to the submissions made by the parties, taking into consideration the material available on record, the fact that petitioner is in custody since 23/06/2021 having no criminal antecedent of similar nature of offence and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise Act Muzaffarpur / court concerned in connection with Ahiyapur PS Case No.405 of 2021.

(Anil Kumar Sinha, J)

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