

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.56907 of 2021**

Arising Out of PS. Case No.-15 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Munna Sah @ Madhurendra Kumar S/O Mahendra Sah R/O Village-
Runnisaidpur, Ward No.-10, P.S.- Runnisaidpur, Dist.- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-04-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Bisheshwar Ram, learned APP for the State.

Petitioner in the present case is seeking regular bail in
connection with Runnisaidpur P.S. Case No. 15 of 2021
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition & Excise Act. He has no criminal antecedent
and is in custody since 30.07.2021.

Learned counsel for the petitioner submits that as per
the prosecution story, the informant got secret information that
the petitioner and other two co-accused had procured a big
consignment of illicit liquor and kept near the house of co-



accused Munna Kumar. On this information, the informant along with other police officials reached there and on seeing the police party two persons tried to run away but was arrested and total 92.350 liters of illicit liquor was recovered from the straw house. The apprehended co-accused disclosed that they had procured this illicit liquor through the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted that there is no recovery from the conscious possession of the petitioner. It is submitted that the name of the petitioner has transpired in the confessional statement of the co-accused. He has remained in custody since 30.07.2021 having no criminal antecedent.

Learned counsel submits that investigation against him is complete and his appearance during trial may be secured.

Mr. Bisheshwar Ram, learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused, however, there is no recovery from the possession of the petitioner, he has no criminal antecedent and has remained in custody in connection with this case since 30.07.2021,



investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J., II-cum-Special Judge, Excise Act, Sitamarhi in connection Runnisaipur P.S. Case No. 15 of 2021, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

