

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58904 of 2021

Arising Out of PS. Case No.-420 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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MONU KUMAR @ ASHWANI KUMAR @ ASHWANI SON OF ASHOK
TIWARI Resident of Village - Sherpur, P.s.- Sadar, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra
For the Opposite Party/s : Mr.Ram Sewak Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Muzaffarpur Sadar Police Station Case No. 420 of 2020,
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information
Report, is that the police, on the basis of secret information, that
the petitioner, along with others, has brought huge quantity of
illicit liquor, proceeded towards the place of occurrence and
recovered 2527.56 litres of illicit liquor from a truck and the
persons standing near the truck succeeded in fleeing away. The
name of the petitioner and other co-accused persons has been



disclosed by the local villagers, as the persons who fled away from the place of occurrence on seeing the police party.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. He next submits that the petitioner is neither the owner nor driver of the truck and nothing has been recovered from the conscious possession of the petitioner and/or premises/vehicle belonging to him. He further submits that the petitioner is in custody since 29.07.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the petitioner is neither the owner nor driver of the truck in question, charge sheet has already been submitted and the petitioner is in custody since 29.07.2021, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with



two sureties of the like amount each to the satisfaction of
learned Special Judge, Excise, Muzaffarpur, in connection with
Muzaffarpur Sadar Police Station Case No. 420 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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