

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68753 of 2021**

Arising Out of PS. Case No.-536 Year-2021 Thana- KANTI District- Muzaffarpur

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MUNNA RAI @ MUNNA KUMAR SON OF DEVENDRA RAY Resident of
Village - Shahbazpur, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-06-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 24.340 litres of IMFL was recovered from the *bathan* of the petitioner who managed to escape but was identified by the spy.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedent under the Bihar Prohibition and Excise Act which has been mentioned in the supplementary affidavit. No incriminating article has been recovered from his possession nor was he arrested at the spot. He is in custody since 25.9.2021 and chargesheet has been submitted in the case.



Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot and having remained in custody for over 8 months, the Court directs the petitioner to be enlarged on bail in connection with Kanti P.S. Case no. 536 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IIInd-cum-Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

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