

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57351 of 2022

Arising Out of PS. Case No.-390 Year-2022 Thana- KATEYA District- Gopalganj

Munna Hawari Son Of Chand Mohammad @ Chadmahamad Havari R/O
Village- Chhap Mathiya, P.S.- Mirganj, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kateya P.S. Case No. 390 of 2022 lodged under Section 414 of
the I.P.C. read with Section 30(a) of Bihar Prohibition and
Excise Act, 2018.

As per the prosecution case, the total recovery of
71.600 litre foreign liquor has been made from the Commander
Jeep of which the petitioner was alleged to be the driver, which
is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned

counsel submits that antecedent of the petitioner is clean and under wrong impression, he has been caught by the police. Counsel submits that there is a gross violation of preparation of seizure list under Section 100 of Cr.P.C. Counsel submits that petitioner is in custody since 03.09.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special, Judge Excise-I, Gopalganj in connection with Kateya P.S. Case No. 390 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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