

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1678 of 2022

Arising Out of PS. Case No.-587 Year-2021 Thana- KANTI District- Muzaffarpur

Munna Rai @ Munna Kumar Son Of Devendra Rai Resident Of Village-
Shahbazpur, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-06-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Shankar Kumar, learned counsel for the
petitioner as well as learned Additional Public Prosecutor for the
State.

The petitioner apprehends his arrest in connection
with Kanti P.S.Case No. 587 of 2021 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Act, 2016.

As per prosecution case, it is alleged that while the
police was on patrolling duty on 11.09.2022, they seized a truck
containing 2632.320 liters of illegal liquor, bearing Registration
No.UP21 CT-0083, which was found to be parked near the
house of the Chandeshwar Rai and some persons were



unloading the liquor. It is further alleged that on seeing the police party accused persons started fleeing away. It is further alleged the one of the Spy disclosed the name of this petitioner and co-accused persons.

It is submitted by the learned counsel for the petitioner that the name of the petitioner has been disclosed by a Spy and neither the petitioner was arrested at the spot nor any alleged incriminating material has been recovered from person and possession of this petitioner. It is further submitted that petitioner had surrendered in connection with Kanti P.S. Case No. 536 of 2021 and thereafter, he has been remanded in this case on 05.10.2021 and since then he is in custody. It is also submitted that investigation has already been concluded and charge sheet has been submitted but during the course of investigation, except the secret information, no other material has come which suggest the complicity of this petitioner. It is lastly submitted that besides the present case, the petitioner has been made accused in one another case.

On the other hand, learned APP for the State opposes the bail application of the petitioner and submits that huge consignment of illicit liquor was recovered and this petitioner has been said to be involved in trade of illicit liquor.



Having considered the submissions made on behalf of the parties and taking into consideration the fact that except secret information, there is nothing against the petitioner in as much as another co-accused persons having similar allegation, have already been granted bail by learned co-ordinate Bench of this Court vide order dated 31.05.2022 in Cr. Misc. No. 64292 of 2021, moreover, petitioner is in custody since 05.10.2021, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise, Muzaffarpur in connection with Kanti P.S.Case No. 587 of 2021.

(i) One of the bailors should be the close relative of the petitioner.

(ii) The petitioner will cooperate in the investigation as well as in conclusion of the trial.

(iii) He will not try to tamper with the evidence or intimidate the witnesses in course of investigation or during the course of trial.

(v) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be



cancelled.

(Harish Kumar, J.)

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