

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13246 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- BRAHMPUR District- Buxar

MUNNA MUSHHAR S/O LATE DEVRAJ MUSHHAR @ LATE DEVRAJ
RAM Resident of Village- Raghunathpur Kali Asthan Paswan Toli, P.S.-
Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

19 litres of country made liquor has been recovered
from the place of occurrence. The petitioner is said to have fled
away from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got three
criminal antecedents, out of which two cases are of similar
nature as stated in paragraph-3 of the bail application. It is



further submitted that there is no recovery from the conscious possession of the petitioner and the apprehended accused disclosed the name of the petitioner.

Petitioner is agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Exclusive Judge, Excise Court No.2, Buxar in connection with Brahmpur P.S. Case No.17 of 2023, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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