

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14474 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SAHPUR District- Patna

Munna Kumar Son Of Late Chandrashekhar Rai R/O Vill.- Chakiya Tola,
Khaspur, P.S.- Maner, Distt.- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under sections
30(a), 41, 56 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 45 litres
of county made liquor from a motorcycle bearing
registration number BR-01BK-9116. The petitioner is
alleged to be driver of the aforesaid motorcycle.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in the present case. Nothing



incriminating has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 21.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing on behalf of State vehemently opposed the prayer of Bail and submitted that liquor has been seized from the motorcycle which was being driven by the petitioner.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, Excise, Danapur (Patna) in connection with Shahpur P.S.



Case No. 37 of 2023.

The petitioner is directed to deposit a sum of
Rs. 5,000/-(Rupees Five Thousands) in the concerned
District Legal Services Authority.

The bail bond of the petitioner shall be
accepted by the learned Court below on showing receipt
of deposit of Rs. 5,000/-(Rupees Five Thousands) in
District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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