

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39122 of 2023

Arising Out of PS. Case No.-115 Year-2021 Thana- KHAGAUL District- Patna

MONU KUMAR @ MONTI @ MONU S/O LATE SATYNDRA RAM R/O-
Nandu Tola, Ward No. 21, PS.Khagaul, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Khagaul P.S. Case No. 115 of 2021 (Spl. Excise Case No. 3753 of 2021) dated 22.06.2021 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 13.474 litres of illicit liquor was recovered from the house of the co-accused.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner was not apprehended on the spot. The petitioner has no concern with the alleged recovery. The name of the petitioner has sprung up in the confessional statement of the co-accused Sanjay Kumar@Mintu. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 25.04.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur in connection with Khagaul P.S. Case No. 115 of 2021 (Spl. Excise Case No. 3753 of 2021).

The application stands allowed.

(Chandra Prakash Singh, J)

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