

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62093 of 2022

Arising Out of PS. Case No.-360 Year-2022 Thana- PIRBAHOR District- Patna

MUNNA KUMAR @ MUNNA SHARMA aged about 24 years, male, Son of
Kameshwar Sharma R/o Mohalla- Shabri Nagar, P.S.- Rupaspur, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Narayan Sharma, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-01-2023 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Spl Case No.
3417 of 2022, arising out of Pirbahore PS Case No. 360 of 2022,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

From a tempo 140 litres country made liquor has been
recovered. The petitioner is stated to be the owner of the vehicle.

The learned counsel for the petitioner submits that tempo
was being plied by driver. The petitioner has no knowledge or
concern with the illicit liquor. He has become a victim of the
circumstance. Having no criminal antecedents, he is in custody since
9/8/2022

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of recovery,
nature of allegation and the fact that investigation is complete, this



Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna, in connection with Spl Case No. 3417 of 2022, arising out of Pirbahore PS Case No. 360 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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