

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75338 of 2023

Arising Out of PS. Case No.-415 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Munna Kumar Son Of Jholi Yadav Village- Amarpur Ps- Sonbarsa Kachari
Dist- Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 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), 32(i)(ii), 41 of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26, 35 of Arms Act.

Prosecution case relates to recovery of 252.720 litres of IMFL from a car bearing Reg. No. BR-11PC-4698. It is further alleged that one pistol and three live cartridge were recovered from the possession of co-accused Ajit Kumar.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no



independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 7.9.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is 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 Excise Judge 1, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No. 415 of 2023.

(Sunil Kumar Panwar, J)

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