

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74717 of 2023

Arising Out of PS. Case No.-442 Year-2023 Thana- BYPASS District- Patna

Munna Sharma, Son of Ram Prasad Vishwakarma Resident of mohalla -
Ranipur Paijava, Mushhar Toli, P.S.- Bypass, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bypass P.S. Case No.442/2023, lodged on 17.09.2023 under
Sections 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, recovery of 50 litres of
country - made liquor near the hut of the petitioner is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The alleged
recovery has not been made from the possession of the
petitioner, rather it has been made from a public place. Apart
from the present case, the petitioner is accused in two more



criminal cases, in which he has been granted bail and the petitioner is in custody since 17.09.2023.

5. Learned APP for the State opposes the prayer for bail and submits that at the time of granting bail to the petitioner, this aspect must be taken into consideration that the petitioner is accused in two more criminal cases, apart from the present case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Patna City, in connection with Bypass P.S. Case No. 442/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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