

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.560 of 2023

Arising Out of PS. Case No.-478 Year-2022 Thana- FATUA District- Patna

Monu Kumar S/O Badri Giri Resident Of Village- Sri Rampur, P.S.- Fatuha,
District- Patna. At Present, Near Of Railway Colony, Nohta, District-
Nalanda, At Biharsharif.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 399, 402, 414, 420
of the Indian Penal Code, Section 30(a) of Bihar
Prohibition and Excise Act and Sections 25(1-b)a, 26, 35
of Arms Act.

The prosecution case relates to recovery of 3
litres of country made liquor from the possession of co-
accused Roushan Kumar and one loaded country made



pistol from the possession of co-accused Kaushal Kumar. The name of petitioner sprang up in this case on the confessional statement of apprehended co-accused persons.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on the spot nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the confessional statement of co-accused persons, before the police, which has no evidentiary value in the eye of law. The petitioner has been remanded in this case from Fatuha P.S. Case No. 763 of 2022 on 2.11.2022 and since then he is languishing in judicial custody.

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

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Fatuha P.S. Case No. 478 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna City.

(Sunil Kumar Panwar, J)

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