

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39316 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- PIRBAHOR District- Patna

Munna Rai @ Munna Kumar, Son of Gandhi Rai @ Ramanuj Rai, Resident
of Village-Raypur Hasan, P.S-Sonepur, Distt- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Raj, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Pirbahore P.S. Case No. 190 of
2024 registered for the alleged offence under Section 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

03. As per prosecution case, on the basis of secret
information that two persons were selling illicit liquor, a raid
was conducted and one person was apprehended. From the
possession of the apprehended person, four litres of country
made liquor was recovered.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case and nothing incriminating has been recovered from his



possession. The petitioner has been named in this case merely on the basis of confessional statement of co-accused and except for suspicion, there is nothing against the petitioner who is having antecedent of one case.

05. Learned APP vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of this petitioner and and further considering possibility of false implication of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Patna/concerned court in connection with Pirbahore P.S. Case No. 190 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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