

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73515 of 2024

Arising Out of PS. Case No.-366 Year-2024 Thana- BANIAPUR District- Saran

Manu Kumar @ Monu Kumar Son of Chunmun Prasad @ Chunmun Rawat
R/O-Village- Dhobwal, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Adv

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baniyapur P.S. Case No. 366/2024 dated 09.08.2024 registered for the offences punishable u/s 30(a), 32(1), 32(2), 32(3), 38, 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 28.080 litres of illicit foreign liquor was recovered from the new house of the co-accused Viresh Kumar and total 190.080 litres of illicit liquor was recovered from two cartoon kept on the *verandah* of the new house of the co-accused Viresh Kumar. One motorcycle was recovered from the possession of the petitioner.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, Chapra in connection with Baniyapur P.S. Case No. 366/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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