

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65920 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- BHORE District- Gopalganj

Munna Sah @ Munna Kumar Son of Vijay Sah Resident of Mirganj Purab
Mohalla, Ward no, 20, P.S.- Mirganj, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 17-01-2025 Heard learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner apprehends her arrest in connection with Bhore P.S. Case No. 27 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, F.I.R. has been lodged against two named accused persons including the present petitioner against whom there is an allegation of recovery of sack containing 30.520 litres of illicit liquor loaded on the bike which was driven by one of the co-accused persons who was apprehended from spot.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He further submits that he has three antecedent of similar nature. The name of the petitioner has been figured by the confessional statement made by the apprehended accused persons namely Phagulal Prasad @ Bihari Kumar. He further submits that the petitioner is not the owner of the said motorcycle neither any incriminating article has been recovered from the conscious possession of the petitioner.

5. Learned counsel for the State opposes the prayer for bail of the petitioner

6. From perusal of the F.I.R. and also perused the impugned order dated 27.06.2024, it appears that petitioner is named in the F.I.R. It also appears that petitioner along with one of the co-accused were carrying sack containing 30.520 of illicit liquor which was being brought from Uttar Pradesh and on seeing the police party, both of them tried to flee from the spot but one of the co-accused got apprehended and he disclosed the involvement of the petitioner in the alleged crime. So considering the aforesaid facts and circumstances of the case and the submissions made on behalf of the petitioner as well as the fact that petitioner was involved in the alleged crime, I am not inclined to grant bail to the petitioner.



7. Accordingly, the bail application of the petitioner is hereby rejected.

8. However, if the petitioner surrender before the Trial Court, the Trial Court may consider the bail application of the petitioner and disposed of same on the same day without being prejudiced by the present order, in accordance with law.

(Ramesh Chand Malviya, J)

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