

Munna Kumar @ Taunik vs The State Of Bihar on 20 January, 2025

Author: Anil Kumar Sinha

Bench: Anil Kumar Sinha

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84775 of 2024
Arising Out of PS. Case No.-126 Year-2024 Thana- Jaitpur District-
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Munna Kumar @ Taunik S/o Vijay Ray R/o Village- Govindpur, P.O.- Jaitpur
(O.P), PS- Saraiya, District- Muzaffarpur

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Sr.Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2025

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Jaitpur P.S. Case No. 126/2024 registered under Sections 274, 275, 3(5) of the Bhartiya Nyaya Sanhita, 2023 & Sections 30(a), 32(II), 32(III), 36 of the Bihar Prohibition and Excise Act.

3. As per the First Information report the police recovered 757.53 liters of foreign liquor from a pickup van, 270 liters of foreign liquor from one Scorpio vehicle and 90 liters of foreign liquor from a Bolero vehicle and apprehended three persons, however, six persons succeeded in fleeing away from the place of occurrence.

4. Learned senior counsel for the petitioner submits that the petitioner is innocent and has committed no offence in the Patna High Court CR. MISC. No.84775 of 2024(2) dt.20-01-2025 manner alleged. She submits that the petitioner is neither the owner nor the driver of the vehicles in question. She further submits that though at the time of the so-called alleged occurrence the local chowkidar was present but he did not disclose the name of the petitioner as the person who fled

away from the crime scene. The similarly situated co-accused has been granted anticipatory bail by this Court in Cr. Misc. 84163 of 2024.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that no illicit liquor has been recovered from the conscious possession and/ or vehicle belonging to the petitioner and the petitioner is neither the owner nor the driver of the vehicles in question and similarly placed accused has been granted bail, as such, I am inclined to grant anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No. II, Muzaffarpur in connection with Jaitpur P.S. Case No. 126 of 2024, subject to the condition laid down under Section 438(2) of Patna High Court CR. MISC. No.84775 of 2024(2) dt.20-01-2025 the Code of Criminal Procedure.

(Anil Kumar Sinha, J) Suruchi/-

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