

In the court of Additional Sessions Judge II, Banka

Amarpur PS case number – 423/19

Munna Singh versus State of Bihar

19.9.19

This bail petition is filed on behalf of the accused Munna Singh who is in custody since 5.9.19 in connection with Amarpur PS case number 423/19 under section 37 (c) of the Bihar prohibition and excise act 2016.

The case of the prosecution in short is that on 3.9.19 at about 10 PM the informant was talking with his father-in-law and at that time the present accused came there and started to assault the informant. It is further stated that as it was 10 PM hence the informant could not inform this matter to the police but on 4.9.19 as soon as he woke up then again this accused came there and in the influence of liquor again assaulted the informant.

Heard the learned defence counsel as well as the learned Spl.PP for the state. Learned counsel for the petitioner has submitted that the petitioner is innocent and is falsely implicated in this case. It is also stated that he has clean antecedent.

On the other hand, learned Spl.PP opposed the bail petition and has submitted that the accused was totally drunk since night and in the morning he was nabbed by the police and even then 178 mg of alcohol was detected by the breath analyser inside his body and the accused under the influence of liquor assaulted the informant in the night and then again in the early-morning hence, he does not deserve bail.

In the facts and circumstances of the case I am not inclined to grant bail to this petitioner. Accordingly, this bail petition stands rejected.

Dictated

Additional sessions judge-II
Banka
Dated-[] 19.9.19