

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38505 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- KORANSARAI District- Buxar

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Tuntun Kumar Choudhary @ Tuntun Chaudhary S/o Arjun Choudhary, R/o
Vill.- Nandan, P.S.- Dumrao, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Nityanand Tiwary

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

ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Koransarai P.S. Case No. 39 of 2018 registered under Section
30(a) of the Bihar Prohibition and Excise Act 2016.

41.40 lts. of foreign liquor is said to have been
recovered from motorcycle and the petitioner who was driving
the aforesaid motorcycle was apprehended and its pillion rider
managed to escape.

It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
conscious physical possession of the petitioner. He has no
concern either with the seized liquor or with the motorcycle in



question. He has been falsely implicated in this case by the police merely on suspicion while he was passing through the place of occurrence at the time of occurrence and real culprits managed to escape dumping the aforesaid liquor laden motorcycle at the place of occurrence seeing the police party. He has no criminal antecedent. He has been languishing in custody since 30.04.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge 2nd-cum-Special Judge, Buxar in connection with Koransarai P.S. Case No. 39 of 2018.

(Prakash Chandra Jaiswal, J)

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