

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9606 of 2019

Arising Out of PS. Case No.-234 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

TUNNA SINGH, aged about 35 years, Male, S/o Late Lal Kishor Singh,
resident of Village- Marwa, P.S-Baikunthpur, Dist.Gopalgang
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Adv.

For the Opposite Party : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 19-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner seeks bail in connection with Excise
Case No. 234 of 2018 for the offence alleged under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the excise
officials, is that on secret information the Aagan Bari Kendra at
Baikunthpur, district Gopalganj, was raided and 750.680 liters
of Indian made foreign liquor was recovered found in a locked
room. The keys were with co-accused Ram Babu Rai and five
persons including the petitioner have been named in the
prosecution report on the basis of the name being told by the
local people.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, was not
apprehended from the place of occurrence and nothing has been
recovered from his conscious possession and he has been made



accused only on suspicion. He, further, submits that one of the co-accused, on similar allegations, has been granted the privilege of pre-arrest bail by a coordinate Bench of this Court in Cr. Misc. No. 1358 of 2019, dated 18.01.2019, and the petitioner is languishing in judicial custody since 15.01.2019.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Excise Case No. 234 of 2018 to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise, Gopalganj, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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