

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16953 of 2020

Arising Out of PS. Case No.-531 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

TUNTUN RAI @ TUNNU RAI Son of Hareshwar Ray @ Rajeshwar Ray
Resident of Village - Hasanpurwa, P.S.- Chapra Muffasil, Distt - Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Md. Iftexhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice at the
instance of the learned counsel for the petitioner.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 272, 273/34 of Indian Penal Code and
30(A) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 90 liters wine is
recovered.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 13.01.2020 and has got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. It is alleged that 90 liters wine is recovered from the house of co-accused namely Sujeet Kumar and Babban Rai. The name of the petitioner has transpired on the disclosure made by co-accused namely Sujeet Kumar and Babban Rai. There is no recovery from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C. There is no chance of trial being concluded in near future.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran in connection with Chapra Muffasil P.S. Case No. 531/2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each within a period of four weeks to



the satisfaction of the court concerned in connection with the
aforesaid case.

(Sudhir Singh, J)

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