

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33251 of 2021

Arising Out of PS. Case No.-309 Year-2020 Thana- MOTIPUR District- Muzaffarpur

TUNTUN RAI S/O LATE MURALI RAY RESIDENT OF VILLAGE
PURANI BAZAR, P.S-MOTIPUR, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Motipur P.S. Case No. 309/2020, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 41(1)(2) of the Bihar Prohibition and Excise Act, 2018.

The allegation is regarding the police having tried to apprehend one motorcycle and one scooty, however, the persons traveling on the motorcycle managed to escape, but the persons travelling on the scooty were apprehended and



120 liters of illicit liquor was recovered. It is further alleged that the person, who had fled away on the motorcycle, is the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 24.2.2021. The learned counsel for the petitioner has further submitted that merely on suspicion, the petitioner has been roped in the present case although no recovery of illicit liquor has been made from the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no illicit liquor has been recovered from the petitioner herein and he has been roped in the present case merely on suspicion, I deem it fit



and proper to direct for release of the petitioner
on regular bail.

Accordingly, the above named petitioner
is directed to be enlarged on bail on furnishing bail
bonds of Rs. 10,000/- (rupees ten thousand) with
two sureties of the like amount each to the
satisfaction of learned Special Judge, Excise,
Muzaffarpur in connection with Motipur P.S. Case
No. 309 of 2020.

(Mohit Kumar Shah, J)

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