

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35596 of 2021**

Arising Out of PS. Case No.-339 Year-2020 Thana- MOTIPUR District- Muzaffarpur

TUNTUN RAI Son of Late Murali Ray Resident of Village - Mahamadpur
balmi Tole Purani Bazar, P.S.- Motipur, Dstt.- 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.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Motipur P.S. Case No. 339
of 2020, registered for the offence punishable punishable under
Sections 272, 273 of the Indian Penal Code and section 30(a),
41(1)(2) of the Bihar Prohibition and Excise Act, 2018.

1700 litres of foreign liquor has been recovered from
a truck.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Name of this petitioner
has come on the basis of confessional statement of co-accused.
Petitioner is in custody since 24.02.2021. Chargesheet has



already been submitted.

Considering the period of custody, the petitioner above-named, 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 Special Judge Excise, Muzaffarpur in connection with Motipur P.S. Case No. 339 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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