

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25061 of 2022**

Arising Out of PS. Case No.-32 Year-2022 Thana- AWTARNAGAR District- Saran

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TUFANI RAM @ LANGRA @ BABLU KUMAR Son of Late Bhuteli Ram  
@ Dineshwar Ram Resident of Village - Kamalpur, P.S.- Awtarnagar, District  
- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      03-08-2022                      Let the defect(s), as pointed out by the office, be  
  
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with  
  
Awtarnagar P.S. Case No. 32 of 2022 registered for the offences  
  
punishable under Sections 30/30(a) of the Bihar Prohibition and  
  
Excise Amendment Act.

As per prosecution case, there is alleged recovery  
  
of 15 litres country made mahua liquor from out house of the  
  
petitioner. The petitioner is apprehended on spot.

Learned counsel for the petitioner submits that  
  
petitioner is in custody since 13.02.2022. Petitioner bears



criminal antecedent of eight cases out of which seven cases are of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that nothing has been recovered from the possession of the petitioner. Seizure list has not been made as per law.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Exclusive Special Judge, Excise, Saran at Chapra in connection with Awatarnagar P.S. Case No. 32 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

**(Alok Kumar Pandey, J)**

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