

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32070 of 2022

Arising Out of PS. Case No.-39 Year-2022 Thana- AAYAR District- Bhojpur

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TUNNU KUMAR SINGH @ TUNNU KUMAR Son of Rupesh Singh
Resident of Village - Kahen, Police Station - Jagdishpur, District - Bhojpur.
... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Aayar
P.S. Case No. 39 of 2022 registered for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.04.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 80 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not connected in any manner with



alleged vehicle, where illicit liquor was recovered, where petitioner is a man of clean antecedent. Seizure list is not supported by independent witnesses and it appears to be in violation of Section 100(4) of the Cr.P.C. It has been submitted that investigation is complete where charge-sheet has been submitted.

Learned APP, while opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Aayar P.S. Case No. 39 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 1 Bhojpur, Ara/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-
Ravishankar

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