

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54176 of 2021

Arising Out of PS. Case No.-363 Year-2021 Thana- PURNEA SADAR District- Purnia

TUNTUN KUMAR SON OF LATE RAM PRAKASH SINGH R/O
VILLAGE- RAMDIRI, P.S.- MATIHANI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-03-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Excise Case No. 180/ 2021 arising out of Purnea Sadar P.S. Case No. 363/ 2021 registered for the offences punishable under Sections 272, 273 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

There is recovery of altogether 133.200 litres of illicit foreign liquor.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He



further submits that altogether 133.20 litres of foreign liquor has been recovered from the vehicle in question and the petitioner and other accused persons have been made accused in the present case. He further submits that co-accused Mukesh Kumar has been granted bail by this court vide order dated 12.01.2022 passed in Cr. Misc. No. 53842 of 2021 and another co-accused Ashish Kumar Mishra has been granted bail by this court vide order dated 03.01.2022 passed in Cr. Misc. No. 50767 of 2021. He further submits that police after investigation submitted charge sheet against the petitioner and other accused persons. He further submits that initially, petitioner was in custody since 21.07.2021 and thereafter, he is in custody since 12.01.2022.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries three criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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, Purnea in connection with Excise Case No. 180/ 2021 arising out of Purnea Sadar P.S. Case No. 363/ 2021, subject to the following conditions:-



1. 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

U		T	
---	--	---	--

