

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58177 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- LALGANJ District- Vaishali

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Tuntun Singh @ Tuntun Kumar son of Rajendra Singh Resident of Village -
Rikhar, P.S.- Lalganj, District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Satyendra Kumar Srivastava, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Lalganj
P.S. Case No. 165 of 2022 registered for the offence under
Sections 467, 468, 471/34 of the I.P.C. and Section 30(a)/41(1)
of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.08.2022.

The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there
was recovery of 1679 litres of illicit IMFL liquor/countrymade



liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not connected in any manner with alleged truck from which the recovery of illicit liquor was made away. It is further submitted that the name of petitioner surfaced on the basis of suspicion as raised by local Chaukidars as one amongst the persons who found run away from the site of recovery. It is also submitted that seizure list is appearing doubtful being not supported by independent witnesses, rather by police personnels. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged illicit liquor not appears to be made from conscious physical possession of this petitioner 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 Lalganj P.S. Case No. 165 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



learned Exclusive Special Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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