

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15636 of 2023**

Arising Out of PS. Case No.-1583 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Muzaffarpur

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Tinku Kumar Son Of Chulhai Ray R/O Village- Litiyahi @ Asmatpur, P.S.-  
Raghopur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh  
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      10-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 30(a), 32(3)  
of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 2565.360 liters  
of illicit foreign liquor from a truck bearing Registration No.  
UP14FT-4221 and the petitioner is alleged to be driver of the  
said truck who was apprehended on spot.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has falsely been implicated in this present case. A  
statement has been made in para-3 of the petition that the



petitioner has got no criminal antecedent. Petitioner is said to be driver of the said vehicle but he has no concern with the alleged recovery of illicit liquor. No any incriminating article has been recovered from his possession. The petitioner is languishing in judicial custody since 23.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioner is apprehended on spot with the alleged recovery of illicit.

The petitioner is directed to deposit a sum of Rs 40,000/- (Forty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muzaffarpur Excise P.S. Case No. 1583 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No.II, Muzaffarpur.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 40,000/- (Rs. Forty thousand) by the petitioner in the account of



the concerned District Legal Service Authority (DLSA).

**(Sunil Kumar Panwar, J)**

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