

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29263 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- DIGHA District- Patna

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Tunna Pandit @ Tunna Kumar Pandit, Son Of Late Yogendra Pandit Resident
Of Village-Bhita, Ps-Bhita, Dist Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Ms.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a), 37 of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 140 litre of liquor from an auto and one Suraj
Manjhi was arrested.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that petitioner, being the owner of the auto, came to be
implicated. It is further submitted that petitioner was completely



unaware that Suraj Manjhi would misuse his vehicle in the manner as alleged. It is next submitted that the only source of livelihood of the petitioner is the auto, which now stands seized and no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Digha P. S. Case No.77 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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