

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42918 of 2023**

Arising Out of PS. Case No.-92 Year-2023 Thana- PRATAPGANJ District- Supaul

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Tuntun Swarnkar, S/O Satya Narayan Swarnkar, R/O Village- Gospur, Ward
No. 08, P.S- Karjain, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned

A.P.P for the State.

3. The petitioner has preferred this application for

grant of regular bail in connection with Sessions Case, Excise

2106 of 2023 arising out of Pratapganj P.S. Case No. 92 of

2023 dated 24.05.2023 registered for the offences punishable u/s

30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, the petitioner and the

co-accused person were apprehended with two motorcycles

from which 108 litres of Nepali illicit liquor was recovered.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The petitioner has got two criminal antecedent and he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 24.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Sessions Case, Excise 2106 of 2023 arising out of Pratapganj P.S. Case No. 92 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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