

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70202 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- DANAPUR District- Patna

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TUNTUN NUTT S/o Kitavan Nutt R/v- Usri Bazar, P.S.- Sahpur, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sugandha Prasad,Adv.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal,APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Danapur P.S. Case No.74 of 2022, registered for the offences punishable under Sections 30(a)/ 30(c)/ 32(II)(III)/ 34/ 36/41(I) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 130 litres of illicit liquor from behind the temple in question, after the petitioner had indicated that the illicit liquor was stored at the said place.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he



has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 29.01.2022. The learned counsel for the petitioner has further submitted that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place in question, from where the same has been recovered, belongs to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor the place in question, from where the same has been recovered, belongs to the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna, in connection with Danapur P.S. Case No.74 of 2022.

(Mohit Kumar Shah, J)

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