

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76141 of 2023**

Arising Out of PS. Case No.-133 Year-2023 Thana- Excise P.S. District- Purnia

=====

Tinku Kumar @ Tinku Kumar Mandal Son Of Late Suresh Mandal Resident  
Of Village- Bara Toli, Ward No 5, Ps- Udakishunganj Dist- Madhapura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Jai Vardhan Narayan

For the Opposite Party/s : Mr.Asha Kumari

=====

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

2      01-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail registered  
for the offence punishable under section 30(a) of the Bihar  
Prohibition and Excise Act.

Prosecution case relates to recovery of 147 litres of  
IMFL from a car and two persons were arrested on spot  
including the petitioner. Petitioner was sitting on back seat of  
the vehicle.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has got no criminal antecedent. Petitioner has no  
concern with the alleged recovery. He was not aware of the fact  
that liquor was kept inside the said vehicle. Provision of



Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 10.09.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Petitioner is directed to deposit Rs. **5,000/- (Rs. Five thousand)** in the concerned DLSA.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge Court No. 02, Purnea in connection with Dhandaha Excise PS Case No. 133 of 2023.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. **5,000/- (Five thousand only)** by the petitioner in the account of concerned DLSA.

**(Sunil Kumar Panwar, J)**

sushma/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

