

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20957 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- GOPALGANJ TOWN District- Gopalganj

Tunna Singh, Son of Late Ramendra Singh Resident of Karkarkund, P.S.-
Gopalganj town and Distt.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act, 2022.

3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and the
allegation is of recovery of 20 litres of liquor from a place
behind the house of the petitioner.

4. The learned counsel for the petitioner submits
that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and



even alleged recovery is from a place, which does not belong to the petitioner and he came to be implicated based on suspicion by the Chaukidar on the ground that the alleged recovery is from a place, which is adjacent to the house of the petitioner. It is also submitted that in most of the cases, innocent persons are being implicated by the police either at the instance of Chaukidar or local people. It is thus submitted that if the Chaukidar was aware that the petitioner had concealed the liquor, why he did not inform the police earlier and why the said fact was disclosed after the liquor is alleged to have been recovered, which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

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

6. 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.500/- (Rupees Five Hundred) with two sureties of the



like amount each to the satisfaction of the learned Additional District & Sessions Judge-II-cum- Special Judge Excise-01, Gopalganj in connection with Gopalganj Town P. S. Case No.49 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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