

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27582 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- TANKUPPA District- Gaya

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Tuntun Kumar S/O Umesh Yadav R/O Vill. - Asoorain, P.S - Tankuppa in the District of Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Tankuppa P.S. Case No. 26 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 300 liters liquor was recovered from three motorcycles out of which 100 liters liquor was recovered from the motorcycle of the petitioner and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is further submitted that the petitioner is not the owner of the seized motorcycle. The petitioner is in custody since 01.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released 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 Court below/concerned Court in connection with Tankuppa P.S. Case No. 26 of 2024.

(Rudra Prakash Mishra, J)

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