

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39264 of 2024**

Arising Out of PS. Case No.-205 Year-2024 Thana- BUXAR District- Buxar

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Pintu Kumar S/O Late Tuntun Sah R/O Maruti Colony, Buxar, P.S.- Town,
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha 1, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Buxar (Town) P.S. Case No. 205 of 2024, lodged on 10.04.2024
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, FIR has been lodged
against four named accused persons including the present
petitioner. Total 140.72 *litres* of illicit liquor has been recovered
which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



also submits that the alleged recovery of illicit liquor has been made from two motorcycles and the petitioner was apprehended from the motorcycle. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are two criminal cases pending against him. The petitioner is in custody since 11.04.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the said illicit liquor has been recovered from two motorcycles and the petitioner is in possession of one of the motorcycle.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.1, Buxar in connection with Buxar (Town) P.S. Case No. 205 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-



(I)- Buxar (T) P.S. Case No. 329 of 2021.

(II)- Buxar (T) P.S. Case No. 450 of 2023.

(Dr. Anshuman, J.)

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