

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73831 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Tuntun Sahni @ Tuntun Kumar, (M), aged about 27 years, S/o Arjun Sahni
@ Arjun Sahani, R/o Village- Hasanpur, Ward No.7, P.S.- Naokothi, District-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Onkar Nath, Advocate

For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Naokothi P.S. Case No. 133 of 2024, G.R. No. 1111 of 2024 dated 02.08.2024 registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 15 litres of county made liquor was recovered from the bank of Kantahi Ghat of Budhi Gandak River.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner was not



apprehended on the spot. His name has come in the present case on the basis of disclosure made by local Chaukidar and the local people. He has no concern with the alleged offence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-I, Begusarai, in connection with Naokothi P.S. Case No. 133 of 2024 (G.R. No. 1111 of 2024), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

