

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2402 of 2025

Arising Out of PS. Case No.-492 Year-2024 Thana- SONEPUR District- Saran

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Tuntun Rai, Son of Hari Rai, Resident of Village - Sabalpur Chaharan, Police
Station - Sonepur, District - Saran at Chapra. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Sonepur P.S. Case No.
492 of 2024, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is to be engaged
in illegal trading/manufacturing of illicit liquor, where, there is
recovery of 816 litres of IMFL/country made liquor from the bank
of Ganga River.

4. Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery of illicit liquor was made from an
open place i.e. one Baba Ghat of river the Ganga. It is submitted
that the name of petitioner transpired in this case out of secret
input received from confidential source of police. It is submitted



that admittedly the recovery of illicit liquor not appears to be made from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as recovery of illicit liquor *prima facie* appears to be made from an open place and not from the physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chhapra/concerned Court, where the case is pending in connection with Sonapur P.S. Case No. 492 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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