

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.931 of 2025

Arising Out of PS. Case No.-1667 Year-2024 Thana- Excise P.S. District- Muzaffarpur

=====

Tinku Chauhan S/o Lakshman Sah Resident of Mohalla- Atardah, Police
Station- Muzaffarpur Sadar, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr.Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-01-2025 Heard Mr. .Ranjeet Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Shahabuddin Azeem @ S.
Azeem, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Muzaffarpur Excise P.S. Case No. 1667 of 2024 registered
for the offence(s) punishable under Sections Sections 30(a),
32(3) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, altogether
2882.88 litres of illicit liquor of different brands has been
recovered from the seized vehicles. Seeing the police, all the
accused persons including the petitioner are said to have fled



away from the spot.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious possession of the petitioner or from his house. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He was not apprehended on the spot. He is neither the driver nor the owner of the seized vehicles. His name has been transpired in the present case merely on the basis of the secret information. He further submitted that similarly situated co-accused Mantu Thakur has also been granted bail by a co-ordinate Bench of this Court *vide* order dated 19.12.2024 passed in Cr. Misc. No.87580 of 2024 and the petitioner may be released on the similar terms.

5. Petitioner is agreed to deposit a sum of Rs. 1,00,000.00 (Rupees One Lac) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Learned APP for the State vehemently opposed the



prayer for grant of pre-arrest bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned District Court within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned District Court below where the case is pending/successor Court in connection with Muzaffarpur Excise P.S. Case No. 1667 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023, subject to the further conditions :

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

8. The bail bond of the petitioner shall be accepted by



the learned District Court on showing receipt of deposit of the
aforesaid amount in the account of Lawyers’ Association
Welfare Benevolent Fund.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

