

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35255 of 2025**

Arising Out of PS. Case No.-96 Year-2025 Thana- MOTIPUR District- Muzaffarpur

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Tunnu Kumar @ Parmanand Kumar S/O Bharat Bhagat R/O Vill.- Bathna,  
P.S.- Motipur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      11-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motipur P.S. Case no.96 of 2025 registered under section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a raid being conducted, it is stated that while an accused managed to escape, co-accused Ratnesh Kumar and Golu Kumar were arrested. It is further stated that the accused who were caught disclosed the name of the petitioner who had managed to escape. On search, 194.4 litres of IMFL was recovered from the thatched hut from behind the house of the petitioner.

4. Learned counsel for the petitioner submits that



from the contents of the FIR itself, it would transpire that neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The alleged recovery is said to be from behind the house of the petitioner. The petitioner is in custody since 23.4.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the name of the petitioner having transpired in the statement of the co-accused made before police, the petitioner being in custody since 23.4.2025 and specially his not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Motipur P.S. Case no.96 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court no.II, Muzaffarpur.

**(Partha Sarthy, J)**

Saurabh/-

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