

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72854 of 2025

Arising Out of PS. Case No.-662 Year-2025 Thana- AGAMKUAN District- Patna

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Tuntun Kumar Son of Dilendra Paswan @ Dheerendra Paswan R/o Vill. -
Karmalichak, P.S. - Bypass, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Agamkuan P.S. Case No. 662 of 2025, registered for the offences under Sections 30(a), 32 of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on the basis of secret information received by police about two persons loading illicit liquor on a carrier tempo, police reached the spot and apprehended the petitioner and two other co-accused persons. On search of the vehicle recovery of 511.68 litres (319.68 litres from tempo & 192 litres from cowshed) country made foreign liquor was made. The petitioner is said to be the driver of the vehicle who was apprehended by the police.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been found from the conscious possession of the petitioner. The petitioner has no concern from the vehicle from which recovery has been made as the vehicle does not belong to this petitioner. The search and seizure has been made without following the due process and the mandatory provisions of law. The petitioner has no criminal antecedent and is in custody since 07.09.2025.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the circumstances leading to arrest and further considering the clean antecedent of the petitioner and period of custody, submission of charge-sheet the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, Patna in connection with Agamkuan P.S. Case No. 662 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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