

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83623 of 2024**

Arising Out of PS. Case No.-144 Year-2024 Thana- R S P.S. District- Araria

TunTun Kumar @ TunTun S/O Arjun Mandal R/O Village- Hariyabara, Ward  
No. 08, P.S- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jyoti Prasad, Advocate  
For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      31-01-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 30(a) of the Bihar  
Prohibition and Excise Act, 2016.

3. Altogether 33.310 litres of foreign wine and beer is  
said to have been recovered from the Baleno car and a  
motorcycle parked in front of the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that  
the petitioner is quite innocent and have falsely been implicated  
in this case. The allegations levelled against the petitioner is  
general and ombinus in nature. It is further submitted that the  
petitioner is not the owner of the seized vehicle, whereas the  
present petitioner has no concern with the seized vehicle or the



seized liquor. The name of the petitioner has been transpired in the present case on the basis of the statement made by the chowkidar. Petitioner has one criminal antecedent as mentioned in para-3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. 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 Court below 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 Court below where the case is pending/successor Court in connection with R.S. P.S. Case No. 144 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

(1) 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.



(2) 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.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyers’ Association Welfare Benevolent Fund.

**(Anjani Kumar Sharan, J)**

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