

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.90165 of 2024**

Arising Out of PS. Case No.-1285 Year-2024 Thana- Excise P.S. District- Kishanganj

Tuntun Yadav S/o Rajeshwar Yadav R/o Village- Rahta, Ward No.13, P.S.-  
Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      17-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Utpad  
Thana (Kishanganj) P.S. Case No. 1285 of 2024, Special Case  
No. 1305 of 2024 instituted for the offences punishable under  
Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 101.730  
litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No  
incriminating article has been recovered from the conscious  
possession of the petitioner. Learned counsel further submitted  
that the name of the petitioner has transpired in this case merely



because he happens to be the owner of the vehicle in question and he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 14.11.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Utpad Thana (Kishanganj) P.S. Case No. 1285 of 2024, Special Case No. 1305 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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