

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38035 of 2016

Arising Out of PS.Case No. -201 Year- 2016 Thana -DANAPUR District- PATNA

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Binod Rai @ Binod Ram, S/o - Late Bhauro Ram, R/o Village - Chhitnawa,
P.S. - Maner, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party : Mr. Sri Sanjay Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-10-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Danapur
P.S Case No. 201 of 2016 registered for the offences punishable
under Sections 268, 272, 284, 419, 420/34 of the Indian Penal
Code and section 47(A), 50, 51, 63 of Bihar Excise (Amendment)
Act, 2016.

Allegedly, in the house of Arun Rai, the petitioner
and co-accused Ravi Kant Prasad were arrested and they were
indulged in preparing illicit country made liquor and foreign liquor
and from the room about 36 liters of sprit and 16.5 liters of mixed
alcohol wrapper and box etc. were recovered as per seizure list.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, he is not
involved in the business of illegal wine manufacture and supply,

he is a labour and due to lack of knowledge, he was filling wine in the bottles and all of a sudden, the police arrested the petitioner and co-accused Ravi Kant Prasad, the petitioner is suffering in custody since 08.05.2016 and, as such, he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Danapur, in connection with Danapur P.S. Case No. 201 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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