

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8035 of 2019

Arising Out of P.S. Case No.-33 Year-2019 Thana- MANER District- Patna

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BINOD KUMAR, aged about 22 years (Male) Son of Satyanand Rai Resident
of Lodipur,P.S.- Maner, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
13.01.2019 in connection with Special Case No.500 of 2019
arising out of Maner P.S.Case No.33 of 2019 for the offence
alleged under Section 30(a) of the Bihar Madhya Nishedh and
Excise Act, 2016.

The prosecution case as lodged by the police
personnel is that on secret information that some persons are
trading in wine, the police conducted a raid and apprehended
three persons including the petitioner. From the possession of
the petitioner in a plastic gallon 40 litres of *Mahua* wine was
recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case.

However, learned APP for the State opposes the prayer for bail.

Having considered the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on completion of three months in custody on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No.500 of 2019 arising out of Maner P.S.Case No.33 of 2019 to the satisfaction learned Special Judge Excise Act, Patna, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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