

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71257 of 2019

Arising Out of PS. Case No.-242 Year-2019 Thana- NADI P.S. District- Patna

Binod Kumar, Son of Upendra Ray, Resident of Village - Bahrampur, P.S.-
Barampur, District - Vaishali at present residing at Village - Maujipur, Kripal
Tola, P.S.- Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned APP
representing the State.

Petitioner in the present case is seeking regular bail in
connection with Special Case No.8808/2019 arising out of Nadi P.S.
Case No.242 of 2019 registered for the offence punishable under
Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that there is no recovery from the conscious
possession of this petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case and
the submission of learned counsel for the petitioner that the alleged
illicit liquor is said to have been recovered from a bag which was
allegedly threw by this petitioner on seeing the police party but the



petitioner has no criminal antecedent and has remained in custody since 04.10.2019, the investigation against him is complete, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No.8808 of 2019, arising out of Nadi P.S. Case No.242 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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