

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12478 of 2021

Arising Out of PS. Case No.-295 Year-2020 Thana- FATEHPUR District- Gaya

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Binesh Kumar @Vinesh Kumar @Dinesh Kumar S/o Rajo Yadav, resident of village
Guri Servey, P.S. Fatehpur, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Lilawati Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-04-2021 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Fatehpur P.S. Case no.
295 of 2020 registered under sections 30(a) and 32(2) of the
Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 50 litres of country
Mahua liquor was recovered from the motorcycle being driven
by the petitioner.

It is submitted by learned counsel for the petitioner
that no recovery as alleged has taken place from the possession
or motorcycle of the petitioner. He has been falsely implicated
in the case. He is in custody since 1.1.2021, charge sheet has
been submitted in the case and he has no criminal antecedent.

The application for bail is opposed by learned counsel
for the State.

Having heard learned counsel for the parties and
taking into consideration the submissions made on behalf of the
petitioner together with the petitioner not having any criminal



antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Fatehpur P.S. Case no. 295 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise, Gaya.

(Partha Sarthy, J)

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