

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38262 of 2020

Arising Out of PS. Case No.-239 Year-2020 Thana- BALIYA District- Begusarai

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Banti Kumar Yadav, aged about 25 years (male), Son of Manoj Kumar @
Manoj Yadav, resident of Village- Phulwariya, P.S.- Baliya, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Balia P.S. Case no. 239
of 2020, G.R. No. 826 of 2020 registered under sections 272,
273, 120B and 34 of the Indian Penal Code and sections 30 and
32 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid being
conducted 634.68 litres of illegal wine was recovered from a
truck while 375 litres was recovered from the house of one Jalo
Sah. The petitioner and one another person were caught near the
truck.

It is submitted by learned counsel for the petitioner



that he is neither the driver nor the Khalasi nor has he anything to do with the seized articles. He has no criminal antecedent and is in custody since 24.08.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties, in the facts and circumstances of the case and in view of the petitioner being in custody since 24.08.2020 and having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Balia P.S. Case no. 239 of 2020, G.R. no. 826 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IIInd-cum-Special Judge (Excise), Act, Begusarai.

(Partha Sarthy, J)

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