

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6749 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- MOTIPUR District- Muzaffarpur

BINOD KUMAR @ BINOD KUMAR YADAV Son of Late Raghunath Ray
Resident of Village - Senduari Gajsingh, P.S. - Motipur, District -
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-05-2021 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 Motipur P.S. Case no.
198 of 2020 registered under sections 30(a) and 41(1) & (2) of
the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on secret information
having been received a raid was conducted on the house of one
Rajesh Kumar. It is stated that on seeing the police personnel
four accused persons escaped. The petitioner was identified as
one of the four who managed to escape. It is further stated that
on search 486 litres of IMFL was recovered from the house of
Rajesh Kumar.

It is submitted by learned counsel for the petitioner
that the allegations as levelled against the petitioner in the FIR
are false and concocted. He has neither any concern with the
accused Rajesh Kumar nor with the illegally seized liquor. He



has no criminal antecedent and is in custody since 19.10.2020.
Charge sheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking
into consideration the facts and circumstances of the case
including 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 Motipur
P.S. Case no. 198 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 Special Judge,
Excise Act, Muzaffarpur.

(Partha Sarthy, J)

Prakash/-

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