

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8437 of 2022

Arising Out of PS. Case No.-138 Year-2019 Thana- VAISHALI District- Vaishali

BINOD KUMAR @ BINOD RAI SON OF RAM CHANDRA RAI Resident
of Village - Rahimpur, P.s.- Vaishal, Distt.- Vaishali. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with Vaishali PS Case No. 138/2019 registered for the offence punishable under Sections 30(a), 32 (2), 41(1) of Bihar Prohibition & Excise Act.

6201 litres of illicit liquor has been recovered from a truck which was being unloaded by some accused persons who upon seeing the police party succeeded in fleeing away while one accused, namely, Kira Ram was arrested by the police.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of disclosure of his name by arrested accused person, Kira Ram who has been granted bail by a co-ordinate Bench of this Court *vide* Cr. Misc. No. 41310/2019. Other accused persons, namely,



Anil Rai *vide* Cr. Misc. No. 44153/2019, Amarjeet Rai, Dilip Rai, Randhir Kumar @ Chunn *vide* Cr. Misc. No. 57248/2019 and have been granted anticipatory bail by the Benches of this Court. The petitioner is in custody since 22.12.2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no illicit liquor has been recovered from the conscious possession of the petitioner nor the vehicle belongs to him, other similarly situated accused persons have been granted regular as well as anticipatory bail and the petitioner is in custody since 22.12.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II-cum-Additional Sessions Judge, Vaishali at Hajipur in connection with Vaishali PS Case No. 138/2019.

(Anil Kumar Sinha, J)

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