

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70568 of 2021**

Arising Out of PS. Case No.-140 Year-2021 Thana- BATHNAHA District- Sitamarhi

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VINOD RAI @ BINOD KUMAR Son of Dasain Rai Resident of Village-
Lachmipur Basbariya, P.S.- Sitamarhi (Mehsaul), District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 20-05-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. It is further submitted that there is no recovery from the conscious possession of the petitioner rather 3598.350 litres of illicit liquor has been recovered from the place of occurrence. It is submitted that the petitioner has got one criminal antecedent and only on suspicion the petitioner has been made accused. It is also submitted that the petitioner is said to have fled away from the place of occurrence after seeing the police. There is no



compliance of Section 100 Cr.P.C.

Petitioner is agree to deposit a sum of Rs. 2,00,000/- (rupees two lakhs) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the facts aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending/successor court in connection with Bathnaha P.S. Case No. 140 of 2021, subject to the conditions:

(1) As laid down under Section 438 (2) of the Code of Criminal Procedure.

(2) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or wife.

(3) The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount deposited in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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