

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19204 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- NARAINPUR District- Bhojpur

1. Binod Kumar @ Binod Kumar Yadav Son Of Brahmdeo Yadav R/O Sector 9, Bada Khatal Near Maszid, PS- Harla, Distt- Bokaro
2. Balram Kumar Mandal Son of Harechandara Mandal R/O Sector 9, Basanti More, PS- Harla, District- Bokaro
3. Manoranjan Kumar @ Manoranjay Kumar Son Of Late Raj Kumar Sao R/O Baikunthpur (BAIKATPUR) Kali Asthan, Sarai Par, Ps- Khusrupur, Distt- Patna At Present R/O Adarsh Colony Teldih, PS- Chas, Distt- Bokaro

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under section 420 of Indian Penal Code and Sections 30(a), 32(ii)/34(i)(ii) and 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 837 litres of I.M.F.L. from a pickup van bearing Reg. No. JH-05AR-4864. The petitioners are alleged to be driver and Khalasi of the aforesaid vehicle.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in the present case. They have no concern either with the alleged recovered liquor or with the vehicle in question. It is further submitted that petitioners are driver and khalasi of the vehicle in question and they have no knowledge about the alleged liquor. Petitioners are languishing in judicial custody since 27.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioners are driver and khalasi of the vehicle from which huge amount of liquor has been recovered.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Bhojpur, Ara in connection with Narayanpur P.S. Case No. 10 of 2023.

The petitioner No. 1, Binod Kumar @ Binod Kumar Yadav is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner No. 1, Binod Kumar @ Binod Kumar Yadav shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

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