

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38588 of 2023

Arising Out of PS. Case No.-741 Year-2022 Thana- MAHUA District- Vaishali

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BINDESHWAR RAY Son of Ram Sawarath Ray Resident of village - Mahua
Singh Ray, P.S. - Mahua, Distt. - Vaishali Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Mahua P.S. Case No. 741 of
2022 dated 24.11.2022 registered for the offence punishable u/s
414/34 of the IPC and Sections 30(a), 32(ii), 34(ii), 41(i) of the
Bihar Prohibition and Excise Act.

As per the prosecution case, 2079 litres of liquor is
alleged to have recovered from a pickup van.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession
of the petitioner. The petitioner has no concern with the alleged



recovery. The petitioner is nether driver nor the owner of the vehicle. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this Court vide order dated 7.4.2023 passed in Cr. Misc. No. 4584 of 2023, vide order dated 29.4.2023 passed in Cr. Misc. No. 15727 of 2023 and vide order dated 22.5.2023 passed in Cr. Misc. No. 25626 of 2023. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.2.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Mahua P.S. Case No. 741 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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