

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72203 of 2022

Arising Out of PS. Case No.-443 Year-2022 Thana- BEUR District- Patna

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BINOD KUMAR @ BINOD RAY S/O LATE BABU RAY @ LATE LAL
BABU RAY Resident of village- Harishchandra Nagar, Near Double
Transformer (Sipara), P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 360 liters
country made liquor from a vehicle bearing Registration No.
BR-1AP-7824.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case.
Petitioner has no concern with the alleged recovery of illicit
liquor or with the vehicle in question which seized at the place



of occurrence. Neither the petitioner arrested on spot nor any incriminating article has been recovered from his conscious or constructive possession rather his name came into light in this case on the basis of suspicion. It is further submitted that the petitioner is languishing in judicial custody since 22.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Special Case No. 5340 of 2022 arising out of Beur P.S. Case No. 443 of of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna.

(Sunil Kumar Panwar, J)

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