

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76658 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

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VINAY PRASAD @ BINAY PRASAD SON OF BHIKHARI PRASAD
RESIDENT OF VILLAGE - CHIUTAHA, P.S. - BAIKUNTHPUR,
DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
40 liters of illegal country-made liquor from two plastic bags.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was apprehended on spot. He
submitted that the petitioner has no concern with the seized
wine in question. No incriminating article has been recovered
from the conscious possession of the petitioner. The provision of



Section 100 of the Cr.P.C. has not been followed in this case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 02.10.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Baikunthpur P.S. Case No. 336 of 2023.

(Sunil Kumar Panwar, J)

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