

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81380 of 2023

Arising Out of PS. Case No.-306 Year-2023 Thana- SULTANGANJ District- Patna

Binay Kumar Son Of Late Gauri Shankar Yadav Resident Of Village- Tekari
Road, Patthar Ki Masjid, Ps- Sultanganj, Distt- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

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

Prosecution case relates to recovery of 5 litres of
country made liquor kept in a plastic polythene. The
name of petitioner has been disclosed by local people as
a person who fled away.

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 the present case due to his criminal antecedents. He has no concern with the alleged recovery or with the place of occurrence. The name of the petitioner has been disclosed in this case by local people. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 21.07.2023.

Learned APP appearing for the State has 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 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 Exclusive Special Judge, Excise, Patna City, Patna in connection with Sultanganj



P.S. Case No. 306 of 2023.

(Sunil Kumar Panwar, J)

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