

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31226 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- BABUBARHI District- Madhubani

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Vinod Kamat S/o Rambilash Kamat R/o vill - Tirhuta, P.S. - Babubarhi, Distt.
- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Babubarhi P.S. Case No. 415 of 2023 instituted for the offences
punishable under Sections 272, 273, 467, 468, 34 of the Indian
Penal Code and 30(a) and 41 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 352.5
litres of liquor was recovered from Bolero and Scorpio.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner has transpired in this case on the basis of
disclosure made by the local *chowkidar*. No incriminating



article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 04.03.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babubarhi P.S. Case No. 415 of 2023.

(Rudra Prakash Mishra, J)

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