

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39832 of 2024

Arising Out of PS. Case No.-257 Year-2021 Thana- BAISI District- Purnia

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Babbi Kumar @Babbi Ray @Boby Yadav S/O Udesb Yadav @Ram Udesb
Yadav @Ram Udesbha Yadav R/O Village chochahi Bharpura, P.S.
Bibhutipur, Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner seeks regular bail in a case registered for the offence punishable under sections 272 and 273 of the Indian Penal Code and under sections 30(a), 41, 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 630 litres of illicit foreign liquor from the Bolero pickup vehicle.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the seized vehicle. The name of the petitioner has transpired in the confessional statement of co-accused Santosh



Kumar and Shyam Paswan. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has four criminal antecedents and in all cases he is on bail. Similarly situated co-accused persons have already been granted regular bail vide order dated 23.06.2022 passed in Cr. Misc. No. 64131 of 2021. Petitioner is in custody since 04.03.2024. Charge-sheet has already been submitted.

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

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise- 01), Purnea in connection with Baisi Police Station Case No. 257 of 2021.

(Prabhat Kumar Singh, J)

Ranjeet/-

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