

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65292 of 2024

Arising Out of PS. Case No.-234 Year-2022 Thana- GOPALPUR District- Gopalganj

Binod Choubey @ Vinod Choubey S/o Ramashankar Choubey R/o
Bhopatpur, P.S. - Gopalpur, Dist. - Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adarsh Ranjan, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalpur P.S. Case No. 234 of 2022 lodged under Section 30(a)
of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, the F.I.R. has been
lodged against eight named accused persons including the
present petitioner. The total recovery of 259.200 litre foreign
liquor from a pick-up van, 129.600 litre foreign liquor from a
Bolero vehicle and 17.000 litre desi wine from a motorcycle
have been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that the petitioner's case is related to the recovery of
wine from a motorcycle. He further submits that the petitioner is
not the owner of the vehicle, but his name has figured in this
case by virtue of the confessional statement made by the



apprehended accused persons, who have disclosed that accused Nishant Rai and Binod Choubey (petitioner) were sitting on the motorcycle.

5. Counsel for the petitioner further submits that petitioner is in custody since 20.08.2024 having clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for bail and submits that the petitioner was sitting on the motorcycle.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-IV-cum- Exclusive Spl. Excise Court-II, Gopalganj in connection with Gopalpur P.S. Case No. 234 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

Prakashmani/-

(Dr. Anshuman, J.)

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