

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72213 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- MALI District- Aurangabad

Binay Kumar Singh @ Binay Singh @ Vinay Singh S/O Late Dudheshwar
Singh R/O Village- Khadag, Parsa, P.S- Mali, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Meena Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 29-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Mali Police Station Case No. 172 of 2024,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.
3. As per the prosecution case, police, on secret
information, raided cowshed and on seeing the police party, one
person fled away. Upon inquiry, local chowkidar, disclosed the
name of the person as Vinay Singh/Petitioner. On search, police
recovered 76 bottles of 180 ml each containing 13.680 liters of
illicit country made liquor from the roof of the cowshed situated
outside the house of the petitioner.
4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case on the



basis of suspicion. The petitioner is having no criminal antecedent and the liquor has been recovered from roof of the cowshed situated outside the house of the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, illicit liquor has been recovered from the roof of the cowshed which is situated outside the house of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Second, Aurangabad (Bihar), in connection with Mali Police Station Case No. 172 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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