

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14173 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- NAUTAN District- Siwan

Binay Kumar Singh @ Binay Singh, Son of Rajeshwar Singh @ Rajeshwar,
Resident of Village- Chhotka Manjha, P.S.- Mairawa, District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Pandey, Advocate
For the State	:	Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Nautan PS. Case No.331 of 2024 dated.17.12.2024, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 72 liter of illicit liquor has been recovered from a ditch situated at Shahpur Chhitawn Tinnmohani.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the recovery of liquor has been made from an open space accessible to public and there is no



cogent evidence available which could connect the petitioner to the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II, Siwan, in connection with Nautan PS. Case No.331 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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