

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32802 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- Excise P.S. District- Siwan

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Binit Kumar S/o Mainejer Singh Kushwaha R/o Village- Sewtapur, Amrudiya
Tola, P.S.- Mairwa, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 26-06-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Section 30(a) and 32(3) of
Bihar Prohibition and Excise Act. Petitioner has clan antecedent.

3. The prosecution case is to the effect that the
informant got a secret information that some person is carrying
liquor on a motorcycle and one person was apprehended who
disclosed his name as Binit Kumar (petitioner) and on search
108 liters of liquor was recovered.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The learned counsel further submits that neither the
recovered liquor nor the motorcycle belongs to the petitioner.



The learned counsel lastly submits that petitioner has clean antecedent and he is in custody since 04.04.2025. The learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds and thereafter bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Siwan Excise P.S. Case No. 237 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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