

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43949 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- CHIHARA District- Jamui

Binod Kumar @ Binod Yadav @ Vinod Yadav Son of Shankar Yadav
Resident of Village- Bhmatand, P.s.- Jamua, Distt.- Giridih, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Chihra
PS Case No. 39 of 2024 instituted for the offences under
Sections 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1080
litres of foreign liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that name of the petitioner has transpired in this case on the disclosure made by co-accused. The petitioner is in custody since 24.04.2025. Petitioner has four criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Other co-accused have been enlarged on bail by this Court vide order dated 30-01-2025, passed in Cr. Misc. No. 3838 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chihra PS Case No. 39 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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