

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12647 of 2026

Arising Out of PS. Case No.-597 Year-2025 Thana- BYPASS District- Patna

Binod Kumar @ Budhwa@ Bhdhwa S/O Fekan Bind @ Fekan Beldar
Resident Of Village - Beldari Tola, P.S- Bypass, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bypass P.S. case No.
597 of 2025 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 112 liters
liquor was recovered from jute bag in water filled pit.

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. The
name of the petitioner has transpired on the basis of secret



information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Recovery has been made from an open place accessible to public at large. The petitioner is in custody since 14.12.2025 and has got two criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted anticipatory bail by this Bench vide order dated 13.02.2026 passed in Cr. Misc. No. 10783 of 2026.

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.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bypass P.S. case No. 597 of 2025.

(Rudra Prakash Mishra, J)

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