

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45413 of 2017

Arising Out of PS.Case No. -417 Year- 2017 Thana -PHULWARI District- PATNA

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1. Jitendra Kumar @ Jitu Singh, Son of Satya Narayan Sah, R/o Hajipur
Chauhatta, P.S.- Chauhatta (Nagar), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2017 The petitioner seeks regular bail in connection with

Special Case No. 3486 of 2017, arising out of Phulwarisharif
(Janipur) P.S. Case No. 417 of 2017, registered for offences
punishable under Sections 30(A)(B)(C)/38(1)/41(1) of the Bihar
Prohibition and Excise Act, 2016.

Allegation is of recovery of 432 litres of foreign liquor.

It has been submitted on behalf of the petitioner that he
has falsely been implicated in this case and though he is owner of
the vehicle from which the alleged recovery was made, however,
he has given that vehicle on hire on the alleged date of occurrence
and he was not arrested with seized article. Further submission is
that petitioner has no criminal antecedent and has been in judicial
custody since 08.07.2017



Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 3486 of 2017, arising out of Phulwarisharif (Janipur) P.S. Case No. 417 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioner again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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