

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5027 of 2018**

Arising Out of PS.Case No. -90 Year- 2017 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Jitendra Kumar @ Jitiyan S/o Ram Ratan Singh, R/o Village- Sahbajpur  
Puraina, P.S.- Patepur, District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      01-02-2018                      Heard both sides.

The petitioner apprehends his arrest in Patepur P.S.  
Case No.90 of 2017 registered under Sections 30(A), 32(ii) and  
41(i) of the Bihar Excise Amendment Act, 2016.

The S.H.O. of Patepur alleged that he got information  
that Bipin Kumar Singh, Jitendra Kumar @ Jitiyan(the petitioner),  
Md. Alam, Subodh Manjhi and others transported different brands  
of liquor from a Bolero pick up vehicle and kept near village  
Tejpurwa. On such information, the police went to the place and  
found the vehicle parked there. The accused persons fled away.

The learned counsel for the petitioner submits that Md.  
Alam is the owner of the pick up van and Subodh Manjhi is the  
driver. Of course, some liquor of Indian made foreign liquor of



different brands was recovered but there is no material to show that the petitioner transported the foreign liquor from anywhere. Petitioner is not at all concerned either with the vehicle or the liquor.

Considering the fact that the name of the petitioner is disclosed by the informant, the police officer but petitioner is neither the owner of the vehicle nor the driver of the vehicle, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II-cum-Special Judge, Vaishali at Hajipur in connection with Patepur P.S. Case No.90 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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