

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7441 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

JITENDRA KUMAR YADAV @ JITENDRA KUMAR, aged about 22 years,
Male, Son of Suresh Yadav, Resident of Mohalla- Ward No. 33, Sohanipatti,
Buxar, P.S.- Buxar(Town) ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Roy, Adv.
For the Opposite Party : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
01.11.2018 in connection with Buxar (Industrial) P.S. Case No.
219 of 2018 for the offence alleged under Section 30(a) of the
Bihar Prohibition Excise (Amendment) Act, 2018.

The prosecution case, as lodged by the police
personnel, is that on getting a tip off they stopped a tempo. On
search of tempo 31.600 liters of illicit liquor were recovered.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has falsely been implicated in this case. Nothing has been
recovered from the conscious possession of the petitioner, who
was just a driver of the said tempo. He undertakes not to induce
witnesses or tamper with the prosecution evidence.

However, the learned Additional Public Prosecutor for



the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Buxar (Industrial) P.S. Case No. 219 of 2018 to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Buxar.

(Nilu Agrawal, J)

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