

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21271 of 2019

Arising Out of PS. Case No.-353 Year-2018 Thana- KHAJEKALA District- Patna

JITENDRA KUMAR @ JITENDRA RAI Son of Bijali Gope Resident of
Village - Nojal Ghat, Near Chitragupt Madir, P.S.- Khajekal, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 116 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 25-02-2019. The
name of the petitioner has transpired in this case as the recovery
was made from the campus of petitioner's neighbour, Tuntun
Singh. Except for this, there is no other substantive evidence to
suggest the implication of the petitioner in this case. It is alleged



that 116 liters wine is recovered from the campus of Tuntun Singh. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Special Judge, Excise, Patna in connection with Khajekala P.S. Case No. 353 of 2018.

(Sudhir Singh, J)

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