

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70575 of 2019

Arising Out of PS. Case No.-144 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Jitendra Kumar Son of Late Lakhan Sah @ Ram Lakhan Sah Resident of
Village-Taraura Gopalpur, P.S.-Mushahri, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Excise P.S.
Case No. 144 of 2019 registered for the offence punishable
under Sections 30(a) of Bihar Prohibition & Excise Act-2016.

44.310 lts. of country made liquor is said to have
been recovered from the hut of the petitioner and petitioner was
apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or with the hut in question. The hut in
question is not hailing to the petitioner. He has been falsely



implicated in this case merely on suspicion while he was passing through the place of occurrence at the time of occurrence. Petitioner has no criminal antecedent and has been languishing in custody since 8.09.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released 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 Special Judge, Excise, Muzaffarpur in connection with Excise P.S. Case No. 144 of 2019.

(Prakash Chandra Jaiswal, J)

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