

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76093 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- NAYAGAON District- Begusarai

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Jitendra Kumar Son of Ram Nandan Singh, Resident of Village and P.S.-
Nayagaon, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Nayagaon P.S.Case No. 52 of 2019 registered for the offences punishable under Section 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and nothing has been recovered from the possession of the petitioner. Learned counsel further submits that the petitioner has no concern with the recovered liquor and vehicle in question does not belong to the petitioner and his name has come only on suspicion after apprehended by the police. Petitioner is in custody since



17.09.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, where it is the submission of the petitioner that the illicit liquor has not been recovered from his conscious possession and it was recovered from the vehicle which does not belong to the petitioner and his name has come only on suspicion after apprehended by the police and further that the petitioner is in custody since 17.09.2019, there being no criminal antecedent of the petitioner as stated in Paragraph '3' of the application, let the petitioner above named be released on bail in connection with Nayagaon P.S. Case No. 52 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Begusarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of



the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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