

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84607 of 2019**

Arising Out of PS. Case No.-330 Year-2019 Thana- DUMRA District- Sitamarhi

JITENDRA KUMAR YADAVA @ JITENDRA KUMAR YADAV S/o  
Hanslal Ray R/o village- Bishwanathpur, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Pradeep Narain Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      19-12-2019                      Heard the learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dumra P.S. Case No. 330 of 2019 for the offence registered under Section 30(A) of the Bihar Prohibition & Excise Act.

The allegation is regarding recovery of 141.840 litres of illicit foreign wine from the hut of co-accused person, namely, Hanshlal Rai. The petitioner is stated to be the son of said Hanshlal Rai.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he does not have any complicity in the matter. It is further submitted that the petitioner is having clean antecedent and no recovery has been made from his possession, hence the provisions of Bihar



Prohibition and Excise Act, 2016 are not attracted in the present case.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Dumra P.S. Case No. 330 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

S.Sb/-

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