

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.34080 of 2020**

Arising Out of PS. Case No.-11 Year-2020 Thana- DESARI District- Vaishali

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JITENDRA KUMAR SINGH @ JEETU SINGH @ JITU Son of Late
Rambriksh Singh Resident of Village- Murawatpur, P.S.- Desari, District-
Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-12-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Desari P.S. Case No. 11/2020 registered for
the offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.

As per prosecutions story, the informant received a
confidential information that in village Murautpur, one Jitendra
Kumar Singh @ Jitu has kept a white colour Bolero vehicle
where a secret chamber has been made to keep the contraband
articles and the same is used for concealment of illegal liquor,



thereafter the informant along with police force reached at the house of Jitendra Kumar Singh where a Bolero vehicle was found and on search of the said vehicle in presence of the witnesses total 390 liters of India made liquor was recovered from the secret chamber of the vehicle and accordingly seizure list was prepared.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, nothing has been recovered from the possession of the petitioner, he has no concern with the alleged vehicle. Learned counsel submits that petitioner is in jail since 23.08.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner has remained in jail in connection with this case since 23.08.2020, investigation against him is complete and he has no criminal antecedent, the trial is not likely to be concluded in near future and at this stage there is no submission on behalf of the State that the release of the petitioner is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above



named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum Excise Court, Vaishali at Hajipur, in connection with Desari P.S. Case No. 11/2020, 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.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

And further condition that he will abide by and



observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

