

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15243 of 2021

Arising Out of PS. Case No.-174 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

=====

JITENDRA RAY @ JITENDRA KUMAR YADAV S/o Suraj Ray Resident of
Village - Madhuban Pakri, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Adv.
For the Opposite Party/s : Mrs.Rita Verma, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Excise Case No.174 of 2018, P.R. No.23 of 2018, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 426.540 liters of foreign liquor of different brands is said to have been recovered from the place occupied



by the petitioner i.e. from the poultry farm and beside his house.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence has ever taken place and no incriminating article has been recovered from his conscious physical possession. He has not been apprehended on the spot. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case. Petitioner has six criminal antecedents, as mentioned in para-3 of the present petition and has been languishing in custody since 11.11.2020.

Petitioner is agreed to deposit a sum of Rs. 30,000.00 (Rupees Thirty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Excise Case No.174 of 2018, P.R. No.23 of 2018, with the



following conditions:-

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned..

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.30,000.00/- (Rupees Thirty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

