

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15889 of 2021**

Arising Out of PS. Case No.-788 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Jitendra Rai @ Jitendra Kumar Yadav S/o Suraj Rai R/o village- Madhuban
Pakri, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Rakesh Singh, Adv.
For the Opposite Party/s : Mr. Nazir Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 06-08-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for
grant of regular bail in a case registered under section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on search of a truck
and a tempo a total of 312.810 litres of IMFL was recovered and
while some of the accused persons were arrested, it is submitted
that some of the accused managed to escape, which included the
petitioner herein.

It is submitted by learned Senior Counsel for the
petitioner that neither the petitioner was arrested at the spot nor
any incriminating article has been recovered from his



possession. His name transpired in the statement of co-accused made before the police. He has been falsely implicated in the case because of his antecedents. He is in custody since 4.11.2020 and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 9 months, the Court directs the petitioner to be enlarged on bail in connection with Kanti P.S. Case no. 788 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

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