

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24744 of 2021**

Arising Out of PS. Case No.-103 Year-2020 Thana- MOTIPUR District- Muzaffarpur

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Jitendra Rai @ Mantri Ji @ Jitendra Kumar Son of Nand Lal Rai Resident of
Village - Jhingaha, P.S.- Motipur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Nitu Kumari

For the Opposite Party/s : Dr. Ajeet Kumar A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 20-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Motipur P.S. Case No. 103 of 2020, registered for the offence under Sections 30(a), 41(1) (2) of Bihar Prohibition and Excise Act.

225 liters of foreign liquor has been recovered from a Bolero vehicle and name of petitioner and other co-accused has come on the disclosure made by the driver of the vehicle, who was apprehended on spot.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither owner nor driver of the vehicle in question. Petitioner has got clean antecedent and is in custody since 06.01.2021.



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

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No. 103 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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