

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32588 of 2020

Arising Out of PS. Case No.-165 Year-2019 Thana- KOTWA District- East Champaran

JITENDRA KUMAR @ JITENDRA YADAV S/o Bhutti Yadav R/o village-
Bhopatpur Nayka Tola, P.S.- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-02-2021 Heard Mr. Umesh Chandra Verma, learned
counsel for the petitioner and Ms. Anita Kumari, learned
APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kotwa (Bhopatpur O.P.) P.S.
Case No. 165 of 2019 dated 04.07.2019 instituted for
the offences under Sections 30(a) of Bihar Prohibition
and Excise Act, 2016.

It appears that 40 litres of liquor in all is said
to have been recovered from a bag which was allegedly
thrown away by the petitioners for the fear of being
nabbed by the police party.

The petitioner is said to have been identified
by local villagers.

Learned counsel for the petitioner has



submitted that there is no recovery from either the constructive or exclusive possession of the petitioner. His implication in this case is only on the basis of stray statements made by the villagers.

The petitioner has got no criminal antecedent.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 9th Additional Sessions Judge-cum-Special Judge, (Excise), East Champaran, Motihari in connection with Kotwa (Bhopatpur O.P.) P.S. Case No. 165 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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