

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19369 of 2022**

Arising Out of PS. Case No.-468 Year-2021 Thana- CHAPRA TOWN District- Saran

Jitendra Rai @ Jitendra Ray Son Of Tufani Rai @ Tufani Ray Resident Of
Mohalla- Purvi Dahiyawan, Police Station- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha

For the Opposite Party/s : Ms. Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise Act.

4.680 liters of illicit liquor has been recovered from a motorcycle and 120 liters of illicit liquor has been recovered from the *Khataal* of Tufani Rai, the father of the petitioner. The apprehended persons, i.e., Tufani Rai and Munna Kumar disclosed the name of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner and he has got



one criminal antecedent of similar nature as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged 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 1st Exclusive Special Excise Court, Saran at Chapra in connection with Chapra Town P.S. Case No.468 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his



wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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