

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20489 of 2022**

Arising Out of PS. Case No.-539 Year-2019 Thana- GAYA KOTWALI District- Gaya

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Jitendar Chaudhary @ Jitendra Kumar @ Jitendra Kumar Chaudhary @
Jitendra Choudhary Son Of Ramjee Chaudhary @ Dinesh Chaudhary R/O-
Village- Bairagi, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 30(a) and 37(ii) of the Bihar
Excise Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 13.01.2022, charge-sheet has been
submitted in the case and has antecedent of two cases.

Allegation is of recovery of 362 litres of liquor from
the place of occurrence.

Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot and his name came in
the confessional statement of co-accused which has no



evidentiary value.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 13.01.2022, charge-sheet has been submitted in the case, he was not arrested from the spot and his name came in the confessional statement of co-accused, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kotwali P.S. Case No. 539 of 2019.

(Satyavrat Verma, J)

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