

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26117 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- SALIMPUR District- Patna

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JITENDRA RAI @ JITENDRA KUMAR Son of Pradeep Rai Resident of
Village - Mohanpur , P.s.- Raghapur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 09-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1629 liters of liquor from a truck, 882 liters from Bolero pickup and 965.25 liters of liquor from another Bolero pickup van.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner is not the owner of the Bolero pickup



nor he is named in the FIR

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that Jitendra Rai, son of Dharmveer Rai, anticipatory bail was rejected by Order Dated 20.11.2019 in Cr. Misc. No. 84381 of 2019.

Learned counsel rebuts the submission of the learned A.P.P. and submits that bail of Jitendra Rai, son of Dharmveer Rai, was rejected on the ground that liquor was recovered from his possession, it is also submitted that present petitioner though his name is Jitendra Rai but then he has an alias name Jitendra Kumar and the father name of this petitioner is Pradeep Rai, it is also submitted that this petitioner is different from Jitendra Rai son of Dharmveer Rai.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Salimpur P.S. Case No. 84 of 2019 subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

One of the bailor shall be the father of the petitioner
Pradeep Rai.

The learned trial Court before accepting the bail
bonds of the petitioner will verify from the Case Diary whether
Jitendra Rai son of Dharmveer Rai and this petitioner are
accused in the case or not and in the event, if it is found that
only one Jitendra Rai is an accuse in the present case, then the
present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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