

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25697 of 2022

Arising Out of PS. Case No.-458 Year-2020 Thana- BIHIA District- Bhojpur

JITENDRA YADAV @ JITENDRA KUMAR SINGH SON OF
CHANDRIKA SINGH R/O VILLAGE- AANAR, PRESENTLY RESIDING
IN VILLAGE- SAHEB TOLA, P.S.- BIHIYA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 272, 273, 420, 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 147 litres of Mahua liquor was recovered from the vehicle of the petitioner bearing Registration No.BR-01GC-7564.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case.



Learned counsel for the petitioner has further submitted that the petitioner is not named in the FIR and the name of the petitioner has sprung up in the disclosure made by Rajesh Yadav, who has already been granted bail vide order dated 01.07.2021 passed in Cr. Misc. No. 19978 of 2021. The petitioner is not apprehended on spot and no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 18.02.2022.

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

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Bhojpur, Ara in connection with Bihiya P.S. Case No. 458 of 2020.

The application stands allowed.

sanjeev/-

(Chandra Prakash Singh, J)

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