

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38062 of 2022

Arising Out of PS. Case No.-498 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

JITENDRA KUMAR Son of Ramnandan Chaudhary Resident of Village
Machaha, P.S.- Muffasil (Sindhail O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Town P.S.

Case No. 498 of 2021 registered for the offence under Sections
414 and 120(B) of the Indian Penal Code and Sections 30(a),
38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in
custody since 15.06.2022.

The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 3798.72 litres of IMFL/country made liquor.

Learned counsel appearing on behalf of the petitioner

submitted that petitioner is not connected with alleged



vehicle and illicit liquor. It is submitted that no recovery was made from conscious physical possession of the petitioner. It is submitted that petitioner is a man of clean antecedent. It has further submitted that investigation is complete, where charge-sheet has been submitted.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as the alleged recovery of illicit liquor has not been made from the conscious physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Town P.S. Case No. 498 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-1, Begusarai/concerned court, subject to the conditions as mentioned under Section 437(3) of Cr.P.C.

R.S.Sen/
Ravishankar/-

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(Chandra Shekhar Jha, J)

