

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51699 of 2021

Arising Out of PS. Case No.-188 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

JITENDRA @ JITU KUMAR S/O ARJUN YADAV R/o village-
Harishchandra Bigha, P.S.- Mufassil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 413 and 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted the petitioner was taken into custody in his house, however on search no liquor was recovered from the house. Two mobile phones were recovered. It is further stated that on intense questioning, on the petitioner's disclosure 10 litres of country liquor was recovered from a motorcycle parked outside.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. From perusal of the FIR itself it



would be evident that no incriminating article has been recovered from his possession or his house. No recovery has been made as a result of any information provided by him. He has no concern with the seized liquor nor with the motorcycle in question. The petitioner is in custody since 6.7.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the petitioner having remained in custody for 8 months, the Court directs the petitioner to be enlarged on bail in connection with Mufassil P.S. Case no. 188 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 the learned Addl. District and Sessions Judge II-cum-Special Judge, Excise Act, Nawada.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

