

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55573 of 2021

Arising Out of PS. Case No.-411 Year-2020 Thana- KISHANGANJ District- Kishanganj

Jitender Kumar @ Jitendra Rai @ Jitender Roy @ Jitendra Ray Son of Late
Ramji Rai Resident of Village - Litiyahi, P.S. Raghapur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kishanganj P.S. Case no. 411 of 2020 instituted for the offence under Sections 30(a) and 41(1) of the Bihar Prohibition of Excise Act and Section 272, 273, 420 and 120(B) of the Indian Penal Code.

Prosecution case relates to recovery of 3584.6 litres of IMFL from a truck and driver of the said truck was apprehended on spot, who disclosed his name as Munindra Kumar Singh.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no



concern with the alleged recovery or with the vehicle in question. The name of the petitioner has been disclosed in this case by the apprehended co-accused, namely, Munindra Kumar Singh, which has no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kishanganj P.S. Case no. 411 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Special Judge (Excise), Kishanganj subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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