

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.56890 of 2021**

Arising Out of PS. Case No.-42 Year-2021 Thana- GOVERNMENT OFFICIAL COMP. Dis-
trict- Patna

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JITENDRA YADAV, S/o Subhash Yadav, R/o village- Parsa Bazar, P.S.- Parsa
(Parsa Bazar), District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Nityanand, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-04-2022 Learned counsel for the petitioner undertakes to

remove the defects as pointed out by the Stamp Reporter within

two weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr.
Nityanand, learned APP for the State.

The petitioner in the present is seeking regular bail in
connection with P.R. Punpun P.S. Case No. 42 of 2021 arising
out of Special Case No. 4334 of 2021 registered for the offences
punishable under Sections 30(a)/32(i)(3)/41(i)(2) of the Bihar
Prohibition and Excise Act, 2018. The petitioner is in custody
since 18.07.2021. He has no criminal antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, 180 litres of country made wine has been



recovered from the car belonging to the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 18.07.2021 having no criminal antecedent.

Mr. Nityanand, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the submission that the petitioner is in custody since 18.07.2021 for the alleged recovery of about 180 litres of country made wine from the car belonging to him but the trial has yet not been concluded and the petitioner has otherwise no criminal antecedent, his presence may also be secured in course of trial, in the circumstances, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise court, Patna concerned court in connection with P.R. Punpun P.S. Case No. 42 of 2021 arising out of Special Case No. 4334 of 2021, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court web-site under the heading 'Judicial Orders Passed During The Pandemic Period'.

