

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58583 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- RIVILGANJ District- Saran

JITENDRA KUMAR Son of Babu Lal Choudhary Resident of Village -
Shyam Chowk Brahmpur, Police Station - Bhagwan Bazar, District - Saran
(Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-02-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Revilganj P.S. Case No. 206 of 2021 registered for the offence
under Sections 30(a) of the Bihar Prohibition and Excise Act.

Recovery is of 110 liters of illicit country made
liquor.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. In fact,



nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from a Tempo bearing registration No. BR-03P-3269. He further submits that neither the petitioner happens to be driver of the said vehicle nor he happens to be owner of the vehicle in question. He has no concern with the alleged recovery. The petitioner is rotting in judicial custody since 11.06.2021

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge- cum- Special Judge, Excise, Chapra, Saran in connection with Revilganj P.S. Case No. 206 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled



by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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