

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61871 of 2021**

Arising Out of PS. Case No.-97 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

JITENDRA KUMAR @ JITTU RAI @ JITENDRA RAI Son of Yogendra
Rai Resident of Village - Murarpur Kashi, P.S.- Bochaha, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mrs.Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Bochaha P.S.
Case No. 97/ 2019 registered for the offences punishable under
Sections 272, 273 of the IPC and Sections 30(a), 30(2), 38(2) of
the Bihar Prohibition and Excise Act.

There is recovery of 1159 litres of illicit foreign liquor
from the truck.

Learned counsel for the petitioner submits that
petitioner has committed no offence and he has falsely been



implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the truck in question. He further submits that petitioner has no concern with the truck in question. The police after investigation submitted charge sheet against the petitioner and the petitioner is in custody since 16.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Special Judge, Excise, Muzaffarpur in connection with Bochaha P.S. Case No. 97/ 2019, subject to 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 absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled 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.

3. 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)

shahzad/-

U		T	
---	--	---	--

