

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58308 of 2022**

Arising Out of PS. Case No.-450 Year-2022 Thana- ALAMGANJ District- Patna

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Jitendra Kumar Son of Biran Ram Resident of Village - Mina Bazaar  
Domkhana, P.S.- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      19-12-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioner seeks bail in  
connection with Alamganj P.S. Case No. 450 of 2022 registered  
for the alleged offences under Section 30(a)/36 of the Bihar  
Prohibition and Excise Act.

As per prosecution case, police received information  
about a person selling illicit liquor. Police reached the spot and  
apprehended the petitioner and from his possession 78 litres of  
countrymade *mahua* liquor was recovered.

Learned counsel for the petitioner submits that  
petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from the conscious possession of this petitioner who runs a betel shop near the place of occurrence. There is complete non-compliance of Section 100 of Cr.P.C. during search and seizure. The petitioner is in custody since 18.06.2022 and charge sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of the custody of the petitioner along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City in connection with Alamganj P.S. Case No. 450 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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