

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18043 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- DERNI BAZAR District- Saran

JITENDRA RAI, aged about 24 years, Male, SON OF NAGESHWAR RAI
R/O VILLAGE- POJHI DAKSHIN TOLA, P.S.- DERNI, DISTRICT-
SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Derni P.S. Case No. 19 of 2023 dated 09.02.2023 registered for
the offence(s) punishable under Section(s) 30(a) of the Bihar
Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 150 litres of country made liquor and the same
is stated to have been recovered behind the petitioner's house
from a heap of straw and the same was not recovered from the
conscious possession of the petitioner, who has been
languishing in jail since 10.02.2023 and against him, the



investigation has been completed and he is the sole bread earner of his family. Further submission is that though against the petitioner, there are criminal antecedents of three cases but he is on bail in all the said cases

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's young age, as mentioned in the petition, and the completion of the investigation against him and also taking into account the fact that as per the FIR, the alleged wine is stated to have been recovered behind the petitioner's house from a heap of straw, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the **petitioner be released on bail after framing of charge, if the same has not been framed** in connection with Derni P.S. Case No. 19 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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

