

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29150 of 2023

Arising Out of PS. Case No.-441 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Jitendra Prasad, Son Of Sudama Prasad Resident Of Village-Juafar, Ps-
Chhauradano, Dist-East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 21 litre of liquor from a bush.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that even the alleged recovery is from a place, which is
accessible to public at large and he came to be implicated at the



instance of Chaukidar with whom he is on an inimical term because of his antecedent.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.2, Motihari, East Champaran in connection with Chhauradano P. S. Case No.441 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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