

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28754 of 2022

Arising Out of PS. Case No.-330 Year-2019 Thana- MANJHI District- Saran

Jitendra Singh Son Of Late Nageshwar Singh Resident Of Village - Rawal
Tola, P.S.- Chapra Town, Distt.- Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 30, 30(a), 38(i)(ii)
of the Bihar Prohibition & Excise Act.

It is a case of recovery of 2629.800 litres of
I.M.F.L. from a truck bearing Registration No. HR-66-
8035.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has
falsely been implicated in the present case. Neither the



petitioner was arrested on spot nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case on the confessional statement of apprehended co-accused, Butta Singh and Bhawar Lal, as one of the persons to whom they were to deliver the seized liquor. The petitioner has no concern either with the alleged recovered wine or with the truck in question. Moreover, the petitioner is languishing in judicial custody since 7.3.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused persons have been granted Bail vide order dated 15.06.2020, passed in Cr. Misc. No. 16260 of 2020 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Manjhi P.S. Case No. 330 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran, Chapra.

(Sunil Kumar Panwar, J)

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