

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41625 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Jitendra Kumar S/O Late Bhola Sah R/O Village- Mahmudganj, P.S-
Durgawati, Distt.- Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Durgawati P.S. Case No. 146 of 2023 dated 18.05.2023,
instituted for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2022 (as amendment).

3. The prosecution case, in brief, is that on 18.05.2023
at about 4:30 am while the informant (police) along with his
team intercepted a tempo bearing Registration No. UP 67AT
4543 and recovered 138.240 liters of illicit liquor from the said
tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered



from the conscious possession of the petitioner and petitioner has no concern with the seized tempo as well as seized illicit liquor. Lastly, it has been submitted that the petitioner is in custody since 18.05.2023 having clean antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII cum Special Judge Excise II, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 146 of 2023.

(Khatim Reza, J)

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