

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44464 of 2023

Arising Out of PS. Case No.-189 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Jitendra Rai @ Jitendra Singh, S/O Surendra Ray R/O Village- Litiyahi, Ps.
Raghopur (RUSTAMPUR Op), Dist. Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish Kumar Ranjan

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 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 120B
of the I.P.C. and Sections 30(A), 32 and 41 of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of fourteen cases and the allegation is
of recovery of 1784.52 litres of liquor from a truck and a
Hyundai car.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of Shankar Yadav
and Chandan Yadav in police custody, which does not have any



evidentiary value. It is next submitted that it appears that police because of his antecedents got him implicated in the case based on the confessional statement of co-accused, when admittedly petitioner is not the owner of the seized vehicle.

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. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad in connection with Daudnagar (Aurangabad) P. S. Case No.189 of 2023, 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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