

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4897 of 2024**

Arising Out of PS. Case No.-61 Year-2021 Thana- BACHHWARA District-
Begusarai

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Jitendra Yadav @ Hato S/O Ram Chandra Yadav VILLAGE- SHIBU TOLA,
PS. BACHHWARA, DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 13-02-2024 1. Heard learned counsel for the petitioner and the
learned A.P.P. for the State.
2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offenses punishable under Section
120(B) of the Indian Penal Code and Section 30(a) and 32 of the
Bihar Prohibition and Excise Amendment Act.
3. The learned counsel appearing for the petitioner
submits that the petitioner is a person with clean antecedent and
the allegation is of recovery of 536.4 liters of liquor from a pick
up van.
4. The learned counsel for the petitioner next submits
that the petitioner was not apprehended from the place of
occurrence, as such, nothing has been recovered from his
conscious possession. It is next submitted that the petitioner



came to be implicated in the present case at the instance of the nearby villager but then the F.I.R. does not disclose the name of the villager, who has disclosed the name of the petitioner which cast aspersion on the case of the prosecution. It is next submitted that it appears that the police in order to save the real culprit, falsely implicated the petitioner who, admittedly, is a person with clean antecedent.

5. The learned A.P.P. opposes the anticipatory bail application of the petitioner.

6. 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 court below within a period of six weeks, is directed to be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S. Case No. 61 of 2021 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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