

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11489 of 2024**

Arising Out of PS. Case No.-2047 Year-2023 Thana- Excise P.S. District- Gaya

=====

Jitendra Kumar S/O Chandrika Yadav R/O Village- Piyar, P.S- Atri, Distt.-  
Gaya, Bihar, PIN- 823211.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anmol Kumar, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      23-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Excise P.S. Case No.  
2047 of 2023, instituted for the offences punishable under  
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 108 liters  
liquor was recovered from car and the petitioner was arrested on  
spot.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. The  
petitioner has got no concern with the alleged recovery of  
liquor. The petitioner is the co-driver of the said vehicle and not  
the owner of that vehicle. The petitioner is in custody since



28.11.2023 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 2047 of 2023.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

