

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14939 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

Jitu Rana @ Govind Kumar @ Govind Ray @ Govind Mahto @ Govind Mah
S/o Shatrudhan Mahto @ Satrudhan Mahto R/o vill - Barheta, P.S. -
Kalyanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Chakmehsi P.S. Case
No. 72 of 2023, instituted for the offences punishable under
Sections 468, 471, 420, 414, 34 of the Indian Penal Code,
Sections 30(a), 32, 36 and 41 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 5951.880
liters liquor was recovered from five different vehicles.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. It is further submitted that petitioner is neither driver nor owner of any of the seized vehicles. Name of the petitioner has transpired from the confessional statement of co-accused namely Ranjan Kumar. The petitioner is in custody since 08.12.2023 and has got seven criminal antecedents in which the petitioner is on bail in six cases. 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, **after framing of charge, if not already framed** 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 Chakmehsi P.S. Case No. 72 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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