

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26674 of 2024

Arising Out of PS. Case No.-327 Year-2024 Thana- Excise P.S. District- East Champaran

Jitendra Kumar Son Of Shivrath Sahani Resident Of Village- Hussepur Naya
Tola, Ward No. 02, Ps- Sahebganj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Motihari Excise P.S.
Case No. 327 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 84 liters
liquor was recovered from trolley bag of the petitioner and the
petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and 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. The petitioner is



in custody since 29.02.2024 and has got no criminal antecedent.
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 Motihari Excise P.S.
Case No. 327 of 2024.

(Rudra Prakash Mishra, J)

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