

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32073 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- DUMARIYA District- Gaya

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Jitendra Kumar @ Jitendra Kumar Yadav S/o Vijay Yadav R/o At and P.O. -
Sondaha, P.S. - Banekey Bazar, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sitaram Prasad, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Dumariya P.S. Case No.
11 of 2024, instituted for the offences punishable under Sections
30(a), 33, 34 and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 416 liters
spirit was recovered from Bolero car 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. Charge-sheet has been submitted in this 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 spirit. It is further submitted that the petitioner is driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 24.02.2024 and has got two criminal antecedents. 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 Dumariya P.S. Case No. 11 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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