

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41705 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- JOGAPATTI District- West Champaran

Jitendra Kumar S/o Fulena Sah R/o vill - Bahuwarwa, Chuhari, Sanichari
Chowk, P.S. - Sanichari, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Yogapatti P.S. Case No. 162 of 2024, lodged on 01.05.2024
under Sections 272, 273, 414 of the Indian Penal Code read with
section 30 (a) of the Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. As per the prosecution case, FIR has been lodged
against the present petitioner. Total 62.100 *litres* of illicit liquor
has been recovered which is the subject matter of the present
case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the alleged recovery has been made from a



motorcycle which does not belongs to the petitioner as he is not the owner of the said motorcycle. Counsel further submits that the criminal antecedent of the petitioner is clean and he is in custody since 02.05.2024 in the present case.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 162 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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