

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45204 of 2024

Arising Out of PS. Case No.-379 Year-2023 Thana- SIRDALA District- Nawada

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Jitendra Kumar @ Jitu Kumar S/o Manoj Sao R/o vill - Sherpur, P.S. -
Sirdala, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Adv

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sirdala P.S. Case No. 379 of 2023 dated 05.10.2023 registered for the offences punishable u/s 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 180 litres of illicit country made liquor was recovered from the two motorcycles and 92 liters of illicit country made liquor was recovered from the petitioner's motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is not the owner of the said vehicle and the same was not being driven by him at the time of the alleged recovery. The name of the petitioner was disclosed by the co-accused *Aman Kumar*. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Sirdala P.S. Case No. 379 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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