

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44589 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- SIKANDRA District- Jamui

Jitendra Bhagat, Son of Raj Kumar Bhagat, R/O Village- Mahadeo Simariya,
P.S.- Sikandra, Dist.- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Sikandra P.S. Case No. 125 of 2024 for the offence under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about some person selling illicit liquor from the community hall. A raid was conducted and co-accused Indal Kumar Singh was apprehended, who disclosed the name of the petitioner, who fled away from the spot. From the search of that place, recovery of 30 liters country made liquor was made.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has been named in this case on the basis of confessional statement of co-accused. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner has no concern with the seized liquor which was recovered from the community hall of the village. The said place is public place accessible to all. The petitioner is having clean antecedent.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and recovery has been shown from a public place and further considering the possibility of false implication and clean antecedent of the petitioner, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court-1, Jamui, in connection with Sikandra P.S. Case No. 125 of 2024, subject to the condition laid down under Section 438(2) of the



code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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