

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69196 of 2024

Arising Out of PS. Case No.-52 Year-2020 Thana- BIDUPUR District- Vaishali

Jeewachh Kumar @ Jeevachh Kumar @ Jivach kumar S/O Ram Naresh
Mahto R/O Village- Nandani, P.S- Mohiuddin Nagar, Distt.- Samastipur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-12-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bidupur P.S. Case No.52 of 2020 lodged under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, the total recovery of
3670.08 liter foreign liquor has alleged to be made from a truck,
which is subject matter of the present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that the petitioner is neither owner nor driver of the
truck rather his name has come only by virtue of confessional
statement of the co-accused persons.

5. Counsel for the petitioner submits that petitioner is
in custody since 26.07.2024 having four criminal antecedent. He



further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Counsel also submits that the person on whose confession petitioner's name has come, granted bail by the Co-ordinate Bench of this Court vide order dated 01.09.2022 passed in Cr. Misc. No. 27357/2022.

7. Learned Counsel for the State opposes the prayer for bail and submits that it is true that the petitioner's name has been come by virtue of confessional statement of co-accused persons, but it is also true that criminal antecedent is against the petitioner and he is accused in 4 cases in which 2 cases are relating to excise matter.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected, but liberty is hereby granted to the petitioner that he may renew his prayer for bail 6 months from today.

(Dr. Anshuman, J.)

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