

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83172 of 2024

Arising Out of PS. Case No.-446 Year-2024 Thana- KHAJEKALA District- Patna

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Jitendra Kumar S/O Arjun Ray @ Arjun Rai Resident of Diwan
Mohalla,Sidhi Ghat, Near Ram Mandir, PS- Khajekalan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioner and Mr.
Arun Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Khajekalan P.S. Case No. 446 of 2024 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the bushes,
altogether 49 liters of illicit liquor was recovered. One person was
present in the mob who disclosed the name of this petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
case. Learned counsel for the petitioner submitted that from
where the recovery of liquor has been made, does not belong to



the petitioner. Nothing has been recovered from his possession. His name has surfaced in the confessional statement of co-villagers.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submitted that petitioner has one criminal antecedent of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner **on bail with a condition that he will not indulge in similar nature of offence in future**. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Khajekalan P.S. Case No. 446 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge, Excise, Patna City subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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