

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85119 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- CHANDAN District- Banka

JITENDRA KUMAR S/O RAM VILASH PASWAN R/O VILLAGE- TIRA
JATMALPUR, P.S- KALYANPUR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
total 332.46 liters of illegal foreign liquor from two vehicles.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern either with the seized vehicles or with the wine in
question. No incriminating article has been recovered from the
conscious possession of the petitioner. The provision of Section
100 of the Cr.P.C. has not been followed in this case, while



preparing the seizure list. He submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 28.11.2023 passed in Cr. Misc. No. 75562 of 2023. He is languishing in judicial custody since 30.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II, Banka in connection with Chandan P.S. Case No. 136 of 2023.

(Sunil Kumar Panwar, J)

Arish/-

U		T	
---	--	---	--

