

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86047 of 2024

Arising Out of PS. Case No.-208 Year-2022 Thana- BARH District- Patna

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Jitendra Kumar S/o- Ram Jatan Singh Resident of village- East Malahi PS-
Barh Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-12-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Barh P.S. Case no.208 of 2022 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 24.5 litres of liquor is said to have been recovered from the *bansbari* in front of the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He has no concern either with the seized article nor with the place of recovery. He has only been falsely implicated in the case because the alleged recovery has taken place from a place in front of his house. He has no criminal antecedent.



5. The application for bail is opposed learned A.P.P.
for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, no incriminating article having been recovered from his possession and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barh P.S. Case no.208 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Barh, District Patna.

(Partha Sarthy, J)

Saurabh/-

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