

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6531 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- SANDESH District- Bhojpur

Jitendra Yadav, Male, aged about 50 years, S/O Jairam Yadav, resident of
Village- Nusaratpur, P.S- Sandesh, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Sandesh PS Case No.338 of 2024 dated 12.12.2024, instituted under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. The allegation is of recovery of 20 litres wine from the tea shop of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that only on the basis of suspicion the petitioner has been named in this case. Name of the petitioner has been disclosed by the local people of the area. It is also submitted that nothing has been recovered either form



conscious possession or from the house of the petitioner, rather, recovery has been made from a tea shop, which does not belong to the petitioner. The petitioner is neither the owner nor the worker at the tea shop from where liquor has been recovered. Lastly, it is submitted that the petitioner has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Excise Court-II, Bhojpur, in Sandesh PS Case No.338 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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