

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20311 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- Excise P.S. District- Patna

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Jitendra Kumar S/O Anil Prasad Resident of Village- Dayalpur, Police
Station-Hilsa, Dist-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Patna (Prohibition) P.S. Case No. 132 of 2025 instituted for the
offences punishable under Sections 30(a), 32, 56(b) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 77.76
litres of liquor was recovered from Ambulance.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that the name of the petitioner has transpired in this case merely



because he happens to be the owner of the vehicle and he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 29.01.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna (Prohibition) P.S. Case No. 132 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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