

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30541 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- Excise P.S. District- Araria

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Jitendra Kr. Singh @ Jitendra Kumar Singh S/o Arun Kr. Singh @ Arun Kumar Singh Resident of Village- Sourgaown, Ward No.- 3, Police Station- Kursakanta, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Araria Excise P.S. case No. 88 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 165 liters liquor was recovered from Auto and the petitioner was arrested on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is



further submitted that the petitioner is not the owner of the Auto in question. The said Auto was running as public taxi and the petitioner being the driver had no knowledge regarding the nature of goods kept in the Auto. The petitioner is in custody since 13.03.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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 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 Araria Excise P.S. case No. 88 of 2025.

(Rudra Prakash Mishra, J)

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