

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33999 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- BAUGHAT District- Sheikhpura

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Jitendra Kumar @ Jeetu S/O Vijay Sahni R/O Vill.- Harinamchak, P.S.-
Baughat, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rizwanul Haque, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Baughat P.S. Case No. 11 of 2025, registered for the alleged offences under Section 30(a) of the Bihar Prohibition and Excise Act.

03. As per prosecution case, police received secret information about petitioner selling illicit liquor from a hut. A raid was conducted and a person fled away from the spot whose name was disclosed by the people who assembled there as this petitioner. From the hut, recovery of 9 litre of country made *chulai* liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.



The petitioner has no concern with the recovered liquor or the hut from where the said recovery has been made. Nothing incriminating has been recovered from the conscious possession of this petitioner. No offence under Section 30(a) of the Bihar Prohibition and Excise Act is made out against the petitioner. Petitioner is having antecedent of only one case but in the rejection order learned Special Court has wrongly mentioned two criminal antecedents of the petitioner whereas Korma P.S. Case No. 84 of 2021 has been lodged by the mother of the petitioner against Balak Mahto and four others.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of this petitioner and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Exclusive Special Excise Judge, Sheikhpura in connection with Baughat P.S. Case No. 11 of 2025, subject to the condition



laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Anuradha/-

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