

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49461 of 2025

Arising Out of PS. Case No.-373 Year-2024 Thana- PATEPUR District- Vaishali

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Jitendra Kumar @ Zitiya S/O Ram Ratan Singh Resident of Village-
Sahbajpur Puraina, PS- Harlochanpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Subhash Kumar, Advocate
For the State : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 32(2) and 41(1) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, 5220.825 litres illicit
liquor was recovered from the seized truck.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
Petitioner is neither owner nor driver of the vehicle in question.
No incriminating article has been recovered from conscious
possession of this petitioner and he has been made an accused in
this case merely on suspicion. Petitioner is in custody since
18.06.2025. Moreover, charge-sheet has already been submitted.



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

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2-cum-Additional District and Sessions Judge, Hajipur, Vaishali in connection with Patepur (Harlochanpur) P.S. Case No. 373 of 2024.

(Prabhat Kumar Singh, J)

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