

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70784 of 2025

Arising Out of PS. Case No.-563 Year-2025 Thana- FATEHPUR District- Gaya

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Jitendra Kumar S/O Laxman Yadav R/O Village- Dundu, P.S- Gurpa, Distt.-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the petitioner was allegedly carrying two gunny bags on his bike and upon seeing the police attempted to flee, throwing the said gunny bags. However, he was apprehend and upon search, altogether 200 liters of country made liquor was allegedly recovered from those bags.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that



nothing has been recovered from the conscious possession of this petitioner. It is also submitted that from perusal of the seizure list, it would transpire that the sinecure list witnesses are police personnel. Moreover, the petitioner is languishing in judicial custody since 05.08.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has one criminal antecedent of similar nature.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fathepur P.S. Case No. 563 of 2025 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. IV, Gaya with a condition that the petitioner shall not indulge himself in similar nature of offence in future.

(Ashok Kumar Pandey, J)

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