

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89412 of 2024

Arising Out of PS. Case No.-223 Year-2024 Thana- GANGABRIDGE District- Vaishali

Jitendra Kumar @ Mangwa @ Magwa S/o Shiv Sagar Rai @ Shiv Sagar Ray
Resident Of Village- Saifpur, Terasiya, Ps- Gangabridge, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Gangabridge P.S. Case No. 223 of 2024 dated 03.11.2024, instituted for the offence punishable under Sections 317(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation is of recovery of 60 litres country made liquor from the scooty bearing Reg. No. BR01DR0415. One person namely, Rahul Kumar was apprehended at the spot, who disclosed the name of petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner has not been arrested



at the spot. Only on the basis of confessional statement of co-accused namely, Rahul Kumar, the name of the petitioner has been dragged in this case. It is next submitted that petitioner is not the owner of the said seized vehicle. Petitioner has no concern with the said illicit liquor. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Gangabridge P.S. Case No. 223 of 2024, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no. 1-cum-Additional Sessions Judge, Vaishali, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

