

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.928 of 2025

Arising Out of PS. Case No.-98 Year-2024 Thana- PURUSHOTTAMPUR District- West
Champaran

=====

Jitendra Yadav Son of Manbodh Yadav Resident of village - Tihunki, P.S.-
Pokhariya, Dist.- Parasha, Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Adv.
For the Opposite Party/s : Mr.Sangeeta Sharma, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Purushottampur P.S. Case No. 98 of 2024, registered for the offences under Sections 274 and 275 of the Bharatiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police received secret information about three persons bringing country made Nepali liquor from Nepal to India. A trap was laid and three persons were seen coming from the Nepal side to India and the police tried to apprehend them but they started running away after throwing the bags they were carrying on their head. Two



persons were apprehended from the spot and one of them fled away. The petitioner is one of the apprehended persons and from the bags thrown away by the miscreants, recovery of 81 litre of Nepali country made liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner who was not even present at the spot on the alleged date and time of occurrence. The petitioner is in custody since 31.10.2024 and he has no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner, submission of charge sheet and period of custody the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court Excise-II, Bettiah, West Champaran/concerned court, in connection with Purushottampur P.S. Case No. 98 of 2024, subject to the



condition laid down under Section 437(3) of the code of Criminal Procedure 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.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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

