

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10459 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -HASANPUR District- SAMASTIPUR

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Jitendra Kumar Jha @ Chunchun Jha Son of Sri Ram Suresh Jha, Resident
of Village-Patalia, Police Station Ujiarpur, District-Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Namrata Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Hasanpur P.S.Case No. 269 of 2016 registered for the offences punishable under Sections 30(a) and 47 of Bihar Excise Act, 2016.

It has been submitted on behalf of the petitioner that petitioner has not been arrested at the spot and nothing has been recovered from his possession and he is in custody for about four months. It has further been submitted that one co-accused having similar allegation has been granted by this Court in Cr.Misc.No. 12228 of 2017, vide order dated 18.3.2017.

Heard learned APP also, who has opposed the prayer for bail stating that there is recovery of huge quantity of wine.

Having heard both sides and considering the facts and circumstances of the case, as stated above and also considering the



fact that similarly situated co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Rosera, Samastipur, in connection with Hasanpur P.S.Case No. 269 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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