

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6199 of 2017

Arising Out of PS.Case No. -380 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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Bablu Jha, son of Gopal Jha, resident of village Madhopur, P.S. Sadar
(Mabbi O.P.), District Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Sadar (Mabbi) P.S.Case No. 380 of 2016 registered for the offences punishable under Sections 188, 290 of the Indian Penal Code and 47/53(a)(b) of Bihar Excise Amendment Act, 2016.

It has been submitted on behalf of the petitioner that allegation is of recovery of 100 ml wine from the orchard and not from the petitioner. No doubt, from perusal of the petition itself it appears that petitioner is son of Gopal Jha and seizure list shows that the same was recovered from the orchard of Gopal Jha and there is nothing against the petitioner.

Heard learned APP also.

Having heard both sides and considering the fact that there is nothing against the petitioner and the FIR has been lodged



against unknown, let the petitioner, above named, in the event of his arrest/surrender in the court below within a period of two weeks from the date of receipt/production of a copy of this order, be enlarged 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 Judicial Magistrate 1st Class, Darbhanga, in connection with Sadar (Mabbi) P.S. Case No. 380 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to further conditions that petitioner shall co-operate in the investigation and make himself available before police, as and when required, and in the event of failure on his part to appear before the police, prosecution shall be at liberty to move for cancellation of bail bond.

(Vinod Kumar Sinha, J)

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