

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27555 of 2017

Arising Out of PS.Case No. -181 Year- 2016 Thana -SONBERSA District- SITAMARHI

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Mahesh Jha, Son of Late Trilok Jha, resident of Village- Jajuar, P.S.-
Katra, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Sonbarsha P.S. Case No.181 of 2016 for allegedly having committed the offence under Sections 175/120B of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that though the petitioner is not named in the F.I.R., on the basis of some statement made during the course of investigation, the petitioner's name has surfaced. He further submits that there is no recovery from the house of the petitioner and he cannot be prosecuted on the basis of mere speculation. Further, he has no



nexus with the alleged occurrence and the godown from which the articles were allegedly recovered. He further submitted that similarly situated co-accused have been extended the privilege of anticipatory bail in Cr. Misc. Nos.49400 of 2016, 7477 of 2017 and 8446 of 2017, vide orders dated 19.12.2016, 23.02.2017 and 08.03.2017 respectively.

In view of the aforementioned facts and circumstances and the nature of allegations made against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsha P.S. Case No.181 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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