

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46598 of 2018

Arising Out of PS.Case No. -332 Year- 2018 Thana -JAGDISHPUR District- BHAGALPUR

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Raju Jha @ Abhishek Kumar Jha, S/o Sudhir Jha, Resident of Vill.-
Hajipur, P.S.- Sajour, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 3 of the bail
application, in course of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 202.84
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 202.84 liters wine is recovered from the car in question. The car in question does not belong to the petitioner. The name of the petitioner has come on the basis of disclosure made by the local residents as per the F.I.R. The name of the local residents, who have named the petitioner, has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Second Additional District & Sessions Judge-cum-Special Judge, Excise, Bhagalpur, in connection with Jagdishpur P.S. Case No. 332/2018, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

