

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10540 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- JHANJHARPUR District- Madhubani

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ARUN JHA Son of Late Mahesh Jha Resident of Village- Mahrail, P.S.-
Rudrapur, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 27-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Jhanjharpur P.S. Case No. 174 of 2018, G.R.
No. 1986 of 2018 registered for the offence punishable under
Sections 272, 273, 34 of the Indian Penal Code and Section
30(a) of the Bihar Excise Act, 2016.

It has been submitted on behalf of the petitioner that
there is no recovery of any liquor from the possession of
petitioner. Petitioner was found standing near the premises of
Bhawani Construction and police has arrested the petitioner only
on suspicion. No incriminating material has been recovered from
his possession. It has been further submitted that similarly
placed co-accused, namely, Radhe Shayam Mishra and Gopal



Thakur have been granted bail by this Hon'ble Court vide order dated 13.02.2019 passed in Cr. Misc. No. 8065 of 2019. Petitioner has no criminal antecedent and he is in custody since 18.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Madhubani, in connection with Jhanjharpur P.S. Case No. 174 of 2018, G.R. No. 1986 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in



similar nature of offences, after his release on
bail the trial court shall take steps to cancel his
bail bond.

(S. Kumar, J)

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