

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12724 of 2019

Arising Out of PS. Case No.-204 Year-2017 Thana- MANIGACHI District- Darbhanga

PRAKASH KUMAR JHA @ PRAKASH JHA, aged about 21 years, (M)
Son of Raj Kumar Jha Resident of Village - Nehara, P.S. - Manigachhi,
District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi
For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-03-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 272 and 273 of the
Indian Penal Code and under Section 30(a), 37 (d) and 38 of the
Bihar Prohibition and Excise Act. .

Informant who is a police officer has alleged in his
written complaint that on receipt of secret information about
selling of illicit liquor, he along with other police personnel
raided said place and recovered 180 ml liquor. Allegation
against petitioner is of selling of illicit liquor.

It has been submitted on behalf of the petitioner



that he is innocent and has been falsely implicated in this case. Nothing has been recovered from his possession. Alleged recovery has been made from the shop of co-accused Samshul Hoda. He has no concern with the said recovery. He is in custody since 27.12.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **G.O. Case No. 1572 of 2017 arising out of Manigachhi P.S. Case No. 204 of 2017**, with following condition:-

(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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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