

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23482 of 2019

Arising Out of PS. Case No.-119 Year-2019 Thana- JAKKANPUR District- Patna

MANOJ KUMAR Son of Late Surendra Sharma Resident of Village - Postal
Park Chauraha, P.S.- Jakkanpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Jakkanpur P.S.Case No.119 of 2019 dated 2.3.2019 , registered for offences punishable under Sections 273, 290, 188 of the Indian Penal Code Section 3 Laud Speaker Act and 30(A) / 27(C) of Bihar Excise Prohibition Act, 2016 (Amended in the year, 2018).

Prosecution story is that in an Orchestra Programme eight persons were arrested in the drunken condition and empty bottles and bottle containing 200 ml. foreign liquor were recovered and one of the co-accused disclosed the name of the person, who has supplied the liquor.

Submission of the learned counsel for the petitioner is that the recovery is from the house of Ram Nandan Sharma and the son of Ram Nandan Sharma has enmity with the petitioner, which will appear from para 13 of the petition. It



further appears that the petitioner is accused in one more case that is not of similar type. Further submission is that there is no recovery from his house and he has falsely been implicated in this case on the basis of confessional statement of the co-accused person.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna in connection with Jakkanpur P.S.Case No.119 of 2019, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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