

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39465 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- KHAGARIA District- Khagaria

YASHWANT JHA S/o Ganesh Jha R/o village- Sanhauli, P.S.- Chitragupta
Nagar, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-06-2019 Heard both sides.

The petitioner apprehends his arrest in Khagaria (Chitragupta Nagar) P.S. case No. 79 of 2019 registered under Section 272, 273 of the IPC and u/s 30(a) of the Bihar Prohibition & Excise Act.

The informant saw two persons out of whom one person was carrying a blue coloured bag but both the persons started fleeing away after seeing the police. One persons was arrested who disclosed his name as Balwant Jha. Balwant Jha disclosed that petitioner, Yashwant Jha, who happens to be his brother, managed to flee away. From the possession of Balwant Jha 28 bottles of Indian made foreign liquor were recovered.

The learned counsel for the petitioner submits that petitioner was not accompanying his brother. The recovery was



made from the possession of Balwant Jha. Balwant Jha has already been granted regular bail.

Taking into consideration the facts that recovery was made from the possession of Balwant Jha, brother of the petitioner, and petitioner has been made accused in the case on the basis of recovery made from his brother, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. case No. 79 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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