

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60426 of 2019**

Arising Out of PS. Case No.-66 Year-2019 Thana- MANIGACHI District- Darbhanga

Shankar Jha @ Shankar Kumar Jha Son of Pandit Kulanand Jha Resident of
Village Lahta, P.O.- Lahta, P.S. Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durga Nand Jha
For the Opposite Party/s : Mr.Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Manigachhi P.S. Case No. 66 of 2019, registered under
Sections 272 and 273/34 of the Indian Penal Code and Section
30(a) of the Bihar Excise Act, 2016.

The accusation is of recovery of 60 bottles each
containing 750 litres, 15 bottles each containing 375 ml and 356
bottles each containing 180 ml Indian made foreign liquor from
the back side of the house Subai Paswan whereas 192 bottles
each containing 750 ml, 312 bottles each containing 375 ml, 720
bottles each containing 180 ml, 227 bottles each containing 750
ml, 506 bottles each containing 180 ml, 96 bottles each



containing 750 ml, 240 bottles each containing 375 ml and 96 bottles each containing 750 ml Indian made foreign liquor recovered from the latrine tank situated near Sanskrit College, Lahta. On seeing the police party, four persons started to flee away but local people disclosed their names as Balram Jha, Ram Kumar Paswan and Shankar Jha (petitioner) succeeded to flee away but the local persons disclosed their names saying that they used to do the business of illicit liquor.

Learned counsel for the petitioner submits that, in fact, on the date of occurrence, petitioner had gone to Gol Para, Assam, to attend to meet of parents and teachers, as son of petitioner is the student of Sainik School, Goal Para, Assam, but due to dirty village politics, petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Darbhanga,



in connection with G.O. Case No. 383 of 2019 arising out of
Manigachhi P.S. Case No. 66 of 2019, subject to the condition
as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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