

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76272 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- JHAJHA District- Jamui

Vinay Kumar Baranwal Son of Dayanand Baranwal Village - Tahbaghat
Jasidih, P.S.- Jasidih, Dist.- Deoghar, State - Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Jhajha P.S. Case No. 308 of 2019 registered for the offence
punishable under sections 272, 273 and 414 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Exercise
Act.

As per allegation in the FIR, 7 ½ litres of IMFL and
25 litres of country liquor is said to have been recovered from
the bag kept on motorcycle of the petitioner, who unsuccessfully
tried to escape.

It is submitted by learned counsel for the petitioner
that the allegation of recovery as alleged in the FIR is false and
concocted, which would be perused from the seizure list itself.



Although, the seizure list was prepared at 20:30 hours and the FIR registered at 20:45 hours, however, surprisingly the seizure list contains the FIR number, which itself creates doubt about the veracity of the prosecution case. It is further submitted that the petitioner is in custody since 22.10.2019 and he has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge, 2nd Jamui in connection with Jhajha P.S. Case No. 308 of 2019.

(Partha Sarthy, J)

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