

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1652 of 2020**

Arising Out of PS. Case No.-470 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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MUNNA LAL JHA @ SWARAJYANAND JHA Son of Kedar Jha Resident
of Village - Atihar, P.S.- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii
For the Opposite Party/s : Mr.Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-02-2020 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged that from the shop of Rajesh Chandra Jha, 3 bottles each of 750 ml of country made liquor were recovered. It is further alleged that the petitioner being brother of co-accused Rajesh Chandra Jha used to sell the illicit liquor.

It is submitted by learned counsel for the petitioner that the recovery of illicit liquor has not been from the conscious physical possession of the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the apprehended accused suggested the name of the petitioner.

Considering the recovery from the shop of co-accused Rajesh Chandra Jha and the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd ADJ -cum-Special Judge, Excise, Darbhanga in connection with G.O. Case No. 470 of 2019/ Sadar P.S. Case No. 470 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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