

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7485 of 2020

Arising Out of PS. Case No.-267 Year-2019 Thana- ROHTAS District- Rohtas

ALA SHARMA @ SUNIL SHARMA Son of Lukshaman Sharma Resident of
Village- Rasulpur, P.S. and District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 02-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Rohtas P.S. Case No. 267 of 2019 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case as there is no independent material to connect him with the alleged place of recovery and mere on suspicion he has been made accused as he was having criminal antecedent of the year 2015.

Learned APP has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner



that the raid was conducted by the Police party in the orchard of one Late Keshar Chaudhary with whom this petitioner has nothing to do and he does not belong to his family and further submission that the police has brought the name of this petitioner in this case on mere suspicion without there being any basis, only because this petitioner had earlier case of similar nature of the year 2015 in which he is on bail and the submission that there is no material at all to connect the petitioner in the present case, let the petitioner above named in case of their arrest or surrender within a period of four weeks from today in connection with Rohtas P.S. Case No. 267 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum- Special Judge, Excise, Rohtas at Sasaram, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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