

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19006 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- RIGA District- Sitamarhi

RAKESH JHA Son of Sri Devendra Jha Resident of Village - Narsama, P.S. -
Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the FIR, 3395.52 litres of liquor was recovered from the truck and three accused persons, namely Naga Jha, Sanjay Manjhi and Vivek Jha were arrested. They disclosed the name of the co-accused who had managed to flee away and which included the petitioner herein.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He was neither arrested at the spot nor any incriminating article was recovered from his possession. He is in custody since



12.10.2020 and has no criminal antecedent. His case stands on a better footing from that of co-accused Sanjay Manjhi who has been enlarged on bail vide order dated 21.12.2020 passed in Cr. Misc. No. 35323 of 2020.

It is submitted by learned counsel for the petitioner that a typographical error has occurred in describing Annexure-1 to the application in paragraph no.5 of the petition wherein the FIR has been wrongly described as Bajpatti P.S. Case no. 409 of 2020 instead of the correct Riga P.S. Case no. 187 of 2020.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Riga P.S. Case no.187 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge II – cum – Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

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