

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25730 of 2021**

Arising Out of PS. Case No.-394 Year-2020 Thana- SURSAND District- Sitamarhi

Manoj Kumar Jha @ Manoj Jha Son Of Shree Narayan Jha @ Harsh Narayan
Jha R/O Village- Srikhandi Bhitha, P.S.- Sursand, Dist.- 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 : Mr. Jagdhar Prasad- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 22-11-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sursand
P. S. Case No.394 of 2020, instituted for the offences under
Sections 188, 414 of the Indian Penal Code and Section
18(c)/27(B)(II) of the Drugs and Cosmetics Act.

The petitioner is in custody since 18.12.2020 and he is
a person with clean antecedents. Charge-sheet has been
submitted in this case.

According to the F.I.R., illicit medicine has been
found from the store of one Madam Maya and this petitioner is
alleged to be her husband, the son disclosed that his father is
doing the business and accordingly, the informant reached the
house of this petitioner wherefrom some medicine were



recovered.

Learned counsel for the petitioner submits that it is not in dispute that Saksham Kumar is the son of the petitioner, but he is staying with his mother Nisha Jha @ Madam Maya. He further submits that petitioner had divorced Nisha Jha @ Madam Maya about 10 years ago and performed his second marriage with Chandni Jha as has been stated in Para-8 of the bail petition. He further submits that after his second marriage, he left for Delhi along with his second wife after closing his medicine shop, but the first wife of the petitioner, Nisha Jha @ Madam Maya forcibly captured the said medicine shop and running it in her own way.

From bare perusal of the allegation as alleged in the F.I.R., it would manifest that informant alleges that it was Nisha Jha @ Madam Maya, who was running the shop and was indulging in nefarious activity. The learned counsel for the petitioner thus submits that the petitioner has been falsely implicated by his son in the case.

Learned A.P.P. opposes the bail prayer.

Considering the facts afore-stated, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned 1st Additional Sessions Judge-cum-Special Judge (Drugs
and Cosmetics Act), Sitamarhi in connection with Sursand P. S.
Case No.394 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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