

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40092 of 2020

Arising Out of PS. Case No.-322 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

AMAR KUMAR JHA son of Indra Kumar Jha Resident of Village- Lohiya
Nagar, P.S.- Begusarai Town (Lohiya Nagar o.p.), District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Ms. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2021 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Jagdishpur Police Station Case No. 322 of 2020, registered for the offence punishable under Sections 272/273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 .

The allegation, as per the First Information Report, is that the police recovered a total quantity of 844.125 litres of illicit liquor from one TATA-407 vehicle, belonging to the petitioner.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that he happens to be the owner of the TATA-407 vehicle, which is being plied by its driver on hire basis. He



next submits that he got information from his driver that the vehicle has broken down and when he reached near the place of occurrence, he was arrested by the police. He next submits that the petitioner has got no criminal antecedent and he is in custody since 15.09.2020. He further submits that charge sheet has already been submitted against the petitioner and there is no apprehension that the petitioner will abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 15.09.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Bhagalpur, in connection with Jagdishpur Police Station Case No. 322 of 2020.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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