

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7600 of 2021

Arising Out of PS. Case No.-303 Year-2019 Thana- RANIGANJ District- Araria

SUMAN KUMAR JHA, (M), aged about 25 years, Son of Ram Narayan Jha,
Resident of Village - Simarbani, P.S. - Bhargama, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-05-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
counsel for the State through virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 375 ml
wine is said to have been recovered from the house of the co-
accused.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. He
has falsely been implicated in the present case. There is no



allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 375 ml wine is recovered from the house of co-accused. The name of the petitioner has transpired in the present case as the Motorcycle of the petitioner was parked at the place of occurrence. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Araria, in connection with Special Case No. 1119 of 2019, Raniganj P.S. Case No. 303 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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