

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5791 of 2022

Arising Out of PS. Case No.-155 Year-2021 Thana- GHANSHYAMPUR District- Darbhanga

MUKESH KUMAR JHA S/o Vidyanand Jha R/o village- Machhaita, P.S.-
Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

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

Allegation is of recovery of 99 litres of liquor from
two vehicles as detailed in the FIR.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. Petitioner is neither
the owner nor the driver of the vehicles and came to be
implicated as his mobile was found in the car. He further
submits that petitioner had given his mobile to his friend and



perhaps it appears that on seeing the police while fleeing in order to implicate the petitioner, he deliberately left the mobile of the petitioner. He also submits that petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ghanshyampur P.S. Case No. 155 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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