

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37980 of 2021

Arising Out of PS. Case No.-51 Year-2019 Thana- JOGBANI District- Araria

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PAPPU JHA @ PAPPU KUMAR JHA S/O RAJA JHA @ RAJAKANT JHA
R/O VILLAGE-DHANPURA, WARD NO.07, P.S-FORBESGANJ,
DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Dilip Kumar No.1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 144 liters of Nepali liquor is said to have been recovered from the cycle of the apprehended accused Bulu Mandal and from the cycle of the absconded accused. The apprehended accused disclosed the name of the petitioner as the person, who fled away from the spot.



Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case on the confession of the apprehended co-accused with whom the petitioner has inimical terms. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) in the Juvenile Justice Fund, Bihar bearing Account No.35094613009, IFSC SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/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.25,000/- (Rupees Twenty Five 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 Jogbani P.S. Case No.51/2019, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions:

(1) One of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with petitioner. He will also undertake to inform the Court if there is any change in the address of petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00/- (Rupees Twenty Thousand) in the Juvenile Justice Fund.

(Anjani Kumar Sharan, J)

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