

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46037 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- KASBA District- Purnia

DEEPAK KUMAR JHA Son of Ram Chandra Jha Resident of Village -
Jamua, P.S.- Tarabari, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of about 81 liters of foreign liquor from the Scorpio, which belongs to the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that co-accused Md. Istiyaque (driver) and Mithilesh Kumar Mandal (co-villager) have been arrested from the seized Scorpio vehicle. He further submits that co-accused Mithilesh Kumar Mandal, who is co-villager of the petitioner, in



good faith, took his Scorpio vehicle and went to his Sasural to attend the marriage ceremony of his Sala without fair only on the basis of getting diesel filled and by plotting conspiracy between driver and Mithilesh Kumar Mandal, this incident was accomplished but the petitioner had no knowledge of this fact. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Purnea in connection with Kasba P.S. Case No. 79 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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