

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56864 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- RANIYATALAB District- Patna

Sanjiv Jha @ Sanjiv Kumar @ Sanjeev Kumar Jha Son of Late Kamal Nath
Jha Resident of village- Lohna (West) , P.S- Bhairab Asthan, District-
Mahdubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Rani Talab P.S. Case No. 245 of 2021 registered for the alleged offences under Sections 419, 420, 467, 468, 471 and 120(B) of the Indian Penal Code and Section 30(A), 32(II) (III), 36 and 41 of the Bihar Prohibition and Excise Act.

As per prosecution case, police received secret information about transportation of illicit liquor in a truck and the said truck was intercepted and co-accused driver and cleaner were apprehended. On search of this truck 2923.56 litres of India made foreign liquor was recovered. The apprehended co-



accused persons named the petitioner as one of the intended recipients of the illicit liquor.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case as he was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. Other co-accused persons who were apprehended from the spot have been granted bail vide order dated 27.08.2022 passed in Cr. Misc. No. 42140 of 2022. The petitioner is in custody since 07.08.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is having two criminal cases of similar nature pending against him.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and further considering the period of custody of the petitioner along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise



Judge Danapur, District-Patna in connection with Rani Talab
P.S. Case No. 245 of 2021, subject to the conditions mentioned
in Section 437(3) of the Code of Criminal Procedure and also
the following conditions :

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or
in violation of the terms of the bail, the bail bond of
the petitioner will be liable to be cancelled by the
court concerned.

(Arun Kumar Jha, J)

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