

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58972 of 2023

Arising Out of PS. Case No.-237 Year-2023 Thana- BAHERA District- Darbhanga

SANTOSH JHA son of Late Kashi Jha @ Late Khushi Jha village- Shivram
Ps- Bahera Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420/34 of the IPC and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, it is a case of recovery of
wine.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
He submitted that the petitioner has no concern either with the
seized container or with the wine in question. The name of the
petitioner has come into light, on the basis of disclosure by local
Choukidar. No incriminating article has been recovered from



the conscious possession of the petitioner. The provision of Section 100 of the Cr.P.C. has not followed in this case. He is languishing in judicial custody since 09.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bahera P.S. Case No. 237 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

