

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72650 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- SHEKHPURA District- Sheikhpura

RAJA LAL JHA S/o Sanjay Jha R/o Village- Jagatpura, P.S.- Banka, Distt-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shilpi Keshri, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-02-2023 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Sheikhpura (Sirari O.P.) P.S. Case No. 268 of 2022 registered for the offences punishable under Sections 30(a), 32 and 41 of the Bihar Prohibition & Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 270 litres of illicit liquor from a car and one co-accused person, namely, Suraj Jha was apprehended who disclosed about the complicity of the petitioner in the alleged occurrence.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 03.11.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused only in one another case but he is on bail in the said case. The learned counsel for the petitioner has also submitted that the petitioner has been implicated in the present case merely on account of the fact that the car belongs to the petitioner, however, neither the petitioner was arrested from the spot nor any illicit liquor has been recovered from his possession and the person on whose disclosure, his name has been transpired in the present case, has already been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 11.11.2022 passed in Criminal Miscellaneous No. 47798 of 2022.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 11.11.2022 passed in Criminal Miscellaneous No. 47798 of 2022, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II, Sheikhpura in connection with Sheikhpura (Sirari O.P.) P.S. Case No. 268 of 2022.

(Mohit Kumar Shah, J)

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