

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12280 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- JAYNAGAR District- Madhubani

Sanjay Kumar Sharma @ Ranjay Kumar Sharma Son of Ramautar Sharma @
Ramautar Thakr Resident of Village-Madhiya (Kamlabari), P.S.-Basopatti,
Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jaynagar P.S. Case No.
497 of 2023 (G.R. No. 1835 of 2023), instituted for the offences
punishable under Sections 272, 273, 414, 34 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 810 liters
liquor was recovered from 5-6 motorcycles and the petitioner
was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating
material has been recovered from the conscious possession of



the petitioner. The petitioner has got no concern with the alleged recovery of liquor and motorcycle. The petitioner was only passer-by of that way and he was apprehended on the basis of suspicion. The petitioner is in custody since 21.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jaynagar P.S. Case No. 497 of 2023 (G.R. No. 1835 of 2023).

(Rudra Prakash Mishra, J)

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