

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34699 of 2024

Arising Out of PS. Case No.-246 Year-2023 Thana- DALSINGHSARAI District- Samastipur

SUNIL JHA @ SAJJAN JHA @ SUNIL KUMAR JHA SON OF
RAMADHAR JHA RESIDENT OF VILLAGE - BAMBAYIA HARLAL,
POLICE STATION - DALSINGSARAI, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 28-05-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Dalsinghsarai Police Station Case No. 246 of 2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as 'the Act').
3. As per the prosecution case, the police, on the basis of secret information, recovered 894.6 liter of illicit liquor from a pickup van which was standing near the road.
4. Learned Counsel for the petitioner submits that the petitioner is not having any criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name by the villagers and *chowkidar*. The pickup van from where, illicit liquor has been recovered, does not belong to the petitioner and the petitioner is neither the driver nor the cleaner of the



pickup van.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner is not the owner of the vehicle, he is having no criminal antecedent and his name has been disclosed by the *chowkidar* and co-villagers, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Exclusive Special Judge, Excise-01, Samastipur, in connection with Dalsinghsarai Police Station Case No. 246 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

