

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38729 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- SARAI RANJAN District- Samastipur

Raghav Jha @ Chintu Jha @ Pintu @ Raghav Kumar S/O- Ramvilash Jha @
Ramvilas Jha R/O Village - Salempur, Police Station- Musarigharari, Dist.-
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. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a), 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of 1369.365 litres of IMFL on a pickup van near a school and getting the benefits of darkness, petitioner and others managed to escape. Local Chaukidar has disclosed his name.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of the



petitioner has been disclosed in this case by the local chaukidar before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.01.2024 passed in Cr. Misc. No. 1740 of 2024. He is languishing in judicial custody since 16.04.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Spl. Judge (Excise)-02 Samastipur in connection with Sarairanjan P.S. Case No. 303 of 2023.

(Sunil Kumar Panwar, J)

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