

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40703 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- BENIPATTI District- Madhubani

BIKRAM JHA @ VIKRAM JHA SON OF MANIKANT JHA RESIDENT
OF VILLAGE - TEOTHA, WARD NO.1, POLICE STATION - BENIPATTI,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Surendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. Altogether 395.60 litres of Indian made foreign liquor has been recovered behind the house of co-accused Hariom Jha and from the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no



concern either with the seized liquor or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. He was not apprehended on the spot. Later on, he was apprehended by the police. Petitioner has two criminal antecedents not similar in nature and he is in custody since 16.12.2023.

5. Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Benipatti P.S. Case no. 184 of 2023, subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how



he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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