

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44664 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- BAHERA District- Darbhanga

MANISH JHA @ MANISH KUMAR JHA S/O UDGAR JHA R/O
VILLAGE- MAHINAM, P.S- BAHERA, DISTT.- DARBHANGA, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered in connection with Bahera PS Case No. 137/2024 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and under Section 414 of the IPC..

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 92.91 litres of liquor from a car. It is next submitted that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he is not owner of the seized vehicle and came to be implicated in the instant case based on the confessional statement of Kunal @ Bhura in police custody which does not have any evidenciary



value.

4. Learned A.P.P. opposes the bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-II, (Excise Act), Darbhanga in connection with Bahera P.S. Case No. 137/2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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