

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2479 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- TEGHRHA District- Begusarai

RAVI KUMAR @ RAVI KUMAR JHA SON OF SAMBHU JHA @
SHAMBHUNATH JHA resident of Barauni 02 Ward No 8 Post -Barauni
Dyodhi PS -Teghra District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2.The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 120(B) of the Indian
Penal Code and 30(a), 32(i)(ii), 36, 41(i)(ii) of the Bihar
Prohibition and Excise Amendment Act, 2018.

3. Altogether 1268.295 litres of foreign liquor has been
recovered from the house of the petitioner. He is said to be
involved in illegal business of liquor.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and he 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 the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He was not apprehended on the spot. He had not consumed liquor. He has been made accused in the present case merely because the seized illicit liquor was recovered from the abandoned house of the petitioner where no person is residing. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch.

6. Having regard to the facts and circumstances of the case, as the illicit liquor has been recovered from the abandoned house of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where



the case is pending/successor Court in connection with Teghra P.S. Case No. 235 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(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) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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 the Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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