

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21209 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District -
MUZAFFARPUR

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Ajay Kumar Jha @ Babua Don @ Ajay Kr. Jha @ Babua, Son of Sri Kameshwar Jha, Resident of Village-Dharmagatpur, P.S.-Sakra, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Excise Case No. 34 of 2017 registered under Sections 30(a) and 35(a) of the Bihar Prohibition and Excise Act, 2016.

3427.635 litres of foreign liquor is said to have been recovered from the house and barandah of Devendra Jha and six other accused persons including the petitioner who are said to be involved in the business of liquor were absconding.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern



either with the seized liquor or with the place of recovery. He was not apprehended on the spot. The identity and genuiness of the source of information has not been mentioned in the prosecution report. He has been falsely implicated in the case at the instance of his enemies. He has been languishing in custody since 16.09.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 34 of 2017 with the condition that the petitioner will not involve in occurrence of trade of liquor, if he is found involved in the occurrence of trade of liquor, his bail bonds shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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