

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21260 of 2018

Arising Out of PS. Case No.-33 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
		Mr. Rohit Kumar
		Mr. Nitu Kumar no. 7
For the Opposite Party/s :		Mr. Kanhaiya Kishore, APP

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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 connection with Excise Case no. 33 of 2017 registered under Sections 30(a), 38(1) and 41(1) of Bihar Prohibition & Excise Act-2016.

768.450 lts. of foreign liquor is said to have been recovered from the bush located beneath the barrage of Gandak river and miscreants managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the place of recovery. He has



been falsely implicated in the case by the police merely on suspicion. Identity and genuineness of the source of information has not been mentioned in the prosecution report. He has been languishing in custody since 16.09.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds 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. 33 of 2017.

(Prakash Chandra Jaiswal, J)

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