

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19691 of 2018

Arising Out of PS.Case No. -10 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Ajay Kumar Jha @ Babua Don @ Ajay Kr. Jha S/o Sri Kameshwar Jha,
R/o Village- Dharmagatpur, P.S.- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. 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. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 27-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 30 (a) and 35 (a) of the Bihar
Prohibition and Excise Act, 2016.

319.275 liters of foreign liquor is said to have been
recovered from the bush located near the Sanskrit High School
located near the Verma Chowk Road, Muzaffarpur. The said
liquor is said to have been concealed by the petitioner and two
other accused persons.

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 been falsely implicated in this case at the instance of his enemy. He has no concern either with the seized liquor or the place of recovery. He was not apprehended on spot. He has been languishing in custody since 16.09.2017.

On the other hand, learned A.P.P. for the State vehemently opposing the bail petition submitted that the petitioner has criminal antecedents and he is a liquor trader. Hence, he does not deserve for bail.

In the facts and circumstances of the case, 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.10 of 2017, subject to the condition that if the petitioner is found to be involved in such nature of case in future, his bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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