

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35446 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -MANIGACHI District- DARBHANGA

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1. Budhi Nath Jha son of Late Rati Kant Jha Resident of Village - Baghat,
P.S. - Manigachhi, District - Darbhanga. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Pravin Kumar, Adv.
Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 29-06-2018 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) of the Bihar Prohibition and Excise Act, 2016.

1738.15 liters of foreign liquor is said to have been recovered from the locked room of the Middle School, Chak Basawan which is said to have been let out to the contractor Sanjay Jha by the petitioner for storing the cement on request of Pankaj Jha and others and the petitioner and other aforesaid persons were allegedly involved in the illegal trade of liquor.

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 with the



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seized liquor. He happens to be Headmaster of the said school and had let out the aforesaid room to the contractor Sanjay Jha for storing cement there in course of construction of road on the request of Pankaj Jha and others. He was called by the police at the place of occurrence and was apprehended. He has been falsely implicated in this case merely because he happens to be Headmaster of the said school and let the said room to Sanjay Jha. Similarly situated co-accused, namely, Pankaj Jha has been enlarged on bail by this Court in Cr. Misc. No. 34673 of 2018 vide order dated 21.06.2018. He has no criminal antecedent and has been languishing in custody since 22.05.2018.

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 Additional District and Sessions Judge-IV-cum-Special Judge Excise Act, Dharbhanga in connection with Manigachi P.S. Case No. 101 of 2018.

(Prakash Chandra Jaiswal, J)

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