

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46462 of 2018

Arising Out of PS.Case No. -535 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

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Ashish Kumar Jha @ Kinshu Jha, S/o Shree Narayan Jha, resident of village
– Kabilpur, P.S.-Bahadurpur, District – Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bauye Jee Jha (B.J. Jha)

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 31-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a), 34, 36 and 41 of the
Bihar Prohibition and Excise Act, 2016.

80 litres of illicit liquor is said to have been
recovered from the pickup van and three accused persons namely
Abhijeet Rai, Shubhankar Das and Shatrughan Paswan were
apprehended. Shatrughan Paswan disclosed the name of the
petitioner as his accomplice in the occurrence.

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 vehicle in question. He has



been falsely implicated in the case by the apprehended accused Shatrughan Paswan due to animosity. Barring the aforesaid disclosure made by the said accused, there is nothing in the record indicating the complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though two more criminal cases have been lodged against the petitioner, but he is on bail in the said cases. He has been languishing in custody since 17.04.2018.

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 Addl. Sessions Judge-IV cum Special Judge, Darbhanga in connection with Bahadurpur P.S. Case No. 535 of 2017, G.O. Case No. 1897 of 2017.

(Prakash Chandra Jaiswal, J)

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