

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41739 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Ajay Kumar Jha @ Babua @ Ajay Kr. Jha son of Sri Kameshwar Jha,
resident of 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. Yogesh Chandra Verma, Sr. Adv.
Mr. Manish Kumar No.13, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

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

02 16-07-2018 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), 32 (2) & 38 of the Bihar
Prohibition and Excise Act, 2016.

2446.96 liters of foreign liquor is said to have been
recovered from a container and petitioner and two other accused
persons escaped from near the container.

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 the container in question. He was not



apprehended on the spot. The identity and genuineness of the source of information has not been mentioned in the prosecution report. Similarly situated co-accused, namely, Mrityunjay Sah @ Mritunjay Kumar has been enlarged on bail by a co-ordinate Bench of this Court in Cr. Misc. No.38515 of 2018 vide order dated 21.06.2018. Petitioner 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 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.272 of 2017, P.R. No.4/17-18.

(Prakash Chandra Jaiswal, J)

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