

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26470 of 2018

Arising Out of PS. Case No.-140 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

Ajay Kumar Jha @ Babua Don @ Ajay Kr. Jha @ Babua, Son of Sri
Kameshwar Jha, Resident of Village Dharmagatpur, P.S.- Sakra, District-
Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Manish Kumar No 13, Adv.

For the Opposite Party : Mr. Bhanu Pratap Singh, APP 14

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

ORAL ORDER

3 03-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Excise
Case No. 140 of 2017 registered under Sections 30(a), 32(2), 38
and 56(d) of the Bihar Excise (Amendment) Act, 2016.

3621.57 liters of foreign liquor and 190 liters bear
are said to have been recovered from the open land and from the
Bolero jeep located/parked in front of the door of Kalpana Gas
Agency. The said Bolero jeep and two motorcycles which were
parked at the place of occurrence were also seized and the
petitioner and two other accused persons were apprehended
while five accused persons managed to escape. The accused
persons were taking the name of the petitioner during the course
of escape.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or the vehicles. He has been falsely implicated by the personnel of Excise Department with ulterior motive. He has been languishing in custody since 16.09.2017.

on the other hand, the learned Additional Public Prosecutor vehemently opposing the bail petition submitted that there is recovery of huge quantity of liquor and petitioner is having criminal antecedent as three more cases under Excise Act have been lodged against the petitioner.

Considering the facts, aforesaid, I am not inclined to enlarge the petitioner on bail at this stage. The prayer for bail is **rejected**.

However, the petitioner may renew his prayer for bail after four months from this order.

(Prakash Chandra Jaiswal, J)

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