

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41102 of 2019

Arising Out of PS. Case No.-54 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Ajay Kumar Jha @ Ajay Jha Son of Upendra Jha Resident of Village- Sirasi,
Police Station- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Bibhutipur P.S. Case No. 54 of 2019 for the offences under
Sections 272, 272 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has one criminal antecedent and he is in custody since
07.03.2019. He further submits that in the instant case 245.160
liters foreign liquor was seized but nothing was recovered from
the conscious possession of the petitioner and he has no concern
with the seized liquor.

Learned counsel for the petitioner further submits that
the name of the petitioner surfaced on confessional statement of



co-accused namely Rakesh Paswan @ Baba and on the same date petitioner has been made accused in other case i.e. Khodawanpur P.S. Case No. 40 of 2019 for the offence under the Bihar Prohibition and Excise Act.

Considering the fact that petitioner is the driver of the vehicle and on the same date two F.I.R. was lodged in which the petitioner was made accused for offence under the Bihar Prohibition and Excise Act, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Bibhutipur P.S. Case No. 54 of 2019.

(Anil Kumar Upadhyay, J)

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