

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24294 of 2020

Arising Out of PS. Case No.-455 Year-2019 Thana- SAKRA District- Muzaffarpur

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.A.L.Pandit.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Sakra P.S. Case No. 455
of 2019 registered for the offence under Section 272/273 of the
Indian Penal Code and Section 30(a) of Bihar Prohibition and
Excise Act.

As per prosecution case, 4105.650 liters of foreign
liquor is alleged to have been recovered from a 10-wheeler truck
and petitioner and others, as named in the FIR, are said to be
dealer of said liquor.

It is submitted on behalf of petitioner that nothing has
been recovered from the possession of the petitioner. Petitioner
is neither owner nor driver of the vehicle and petitioner has got
no concern with the alleged liquor. It is further submitted that



other co-accused have already been granted bail by this Court and petitioner is in custody since 02-03-2020.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that petitioner is habitual offender and he has got criminal antecedent of almost similar nature of cases, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances as also criminal antecedent of petitioner, I am not inclined to grant him bail and as such, the bail application stands rejected.

(Prabhat Kumar Singh, J.)

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