

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24276 of 2020

Arising Out of PS. Case No.-421 Year-2019 Thana- SAKRA District- Muzaffarpur

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

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Hari Kishore Thakur, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing and perused the case diary.

The petitioner seeks bail in Sakra Police Station Case No. 421 of 2019 for the offence punishable under section 420 and other ancillary sections of the Indian Penal Code, sections 25, 26 and 35 of the Arms Act and section 30a of the Bihar Prohibition and Excise Act.

Acting on a secret information, when police party raided a place, 5 to 6 miscreants started firing on the police men. However, in the said transaction police nabbed one Munchun Thakur who was armed with one loaded country made pistol and 32 cartridges. He disclosed that the said pistol was of the petitioner. Total 1450 liters of foreign liquor was also seized from a truck on the spot.

Learned counsel for the petitioner submits that the petitioner has been roped in this case on the basis of confessional statement of the aforesaid co-accused who has already been allowed bail by a co-ordinate bench of this Court vide order dated 18.3.2020, passed in Cr.Mis.No. 85864/2019. No incriminating material has been recovered from petitioner's



conscious possession and he has not been arrested on the spot. Petitioner is in custody since 3.3.2020.

Learned counsel for the State opposes the prayer for bail. He submits that during investigation, material has been collected to the effect that the petitioner, at the time of making raid by the police party, managed to flee away by resorting to firing on them. In paragraph 3 of the bail petition, petitioner has himself averred that he is an accused in several other criminal cases.

In the facts of the case as also in view of nature of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

