

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5370 of 2021

In
CRIMINAL MISCELLANEOUS No.236 of 2020

Arising Out of PS. Case No.-236 Year-2020 Thana- BAHADURPUR District- Darbhanga

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ASHISH JHA @ KINSHU JHA @ ASHISH KUMAR JHA SON OF
NARAYAN JHA RESIDENT OF VILLAGE-KABILPUR,
LAHERIASARAI, P.S- BAHADURPUR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bauye Jee Jha (B.J. Jha)
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-01-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks after resumption of normal court proceedings. In the eventuality of non-removal of defects within the said period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with Bahadurpur P.S. Case No.236 of 2020, registered for the offence punishable u/s 30(a), 41 of the Bihar Excise Act.

Altogether 765 liters of country made foreign liquor from a truck and 90 liters of country made foreign liquor from a four wheeler vehicle is said to have been recovered by the police. The apprehended accused disclosed the name of petitioner and



others who fled from the spot.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case on mere suspicion. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Allegation against the petitioner is that seeing the police, he fled away from the spot. He has no concern either with the seized liquor or any trade of liquor. Petitioner has five criminal antecedent of similar nature of offence, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail by submitting that the petitioner is a member of the syndicate who bring liquor from other States and sell it in Bihar and he is accused in many other cases of similar nature.

Considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner, as such, the same is hereby rejected.

The anticipatory bail application is dismissed.

(Anjani Kumar Sharan, J)

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