

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62768 of 2023

Arising Out of PS. Case No.-1577 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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AJAY KUMAR JHA @ BABUA DON @ AJAY JHA, aged about 40 years,
Male, S/O KAMESHWAR JHA, RESIDENT OF VILLAGE PILKHI
GANGATI DHARMAGATPUR, PS- SAKARA, DIST- MUZAFFARPUR
... .. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Hari Kishore Thakur, learned counsel

appearing on behalf of the petitioner and Ms. Anita Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 1577 of 2023 dated 06.08.2023
registered for the offence(s) punishable under Sections 30(a)
and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, total
quantity of liquor recovered from an abandoned truck is 2678.4
litres of different brands.

4. The District Transport Officer, Muzaffarpur is
directed to furnish a report with respect to the ownership of the
truck bearing registration No.NL01K-6482 before the district
court, where the case is pending. In case, it is found that the
registration number of the truck in question is fake, and there is
any tampering in the engine number, the same be also reported



to the district court.

5. In case, the district court concludes that the truck is not registered in the name of the petitioner or truck is not a stolen one, which has been seized in course of carrying the huge quantity of foreign liquor, the petitioner is directed to be released on bail in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Court No.II, Muzaffarpur in connection with Excise P.S. Case No. 1577 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. In case, the report is otherwise, the authority may proceed in accordance with law.

7. Further, the court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

Sanjay/-

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