

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30893 of 2019

Arising Out of PS. Case No.-147 Year-2019 Thana- TURKAULIYA District- East
Champaran

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ASHOK CHAUDHARY Son of Vishwanath Chaudhary R/o Jhakhiya Chowk,
P.S.- Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-08-2019 This application, for grant of anticipatory bail, arises

out of Turkauliya [Raghunathpur] P.S. Case No. 147/2019,

disclosing offences under Sections 272, 273/34 of the Indian

Penal Code and Sections 30 [a] [I] 4[i] of the Bihar Prohibition

of Excise Act, 2016.

Allegation as per F.I.R. is that police on secret

information intercepted a pick-up van, from which, 2310 liter

spirit has been recovered and one person was arrested and, who

disclosed the name of petitioner and others as the persons, who

fled away. Apart from that petitioner is accused in one more

case of similar nature.

Submission of learned counsel for the petitioner is

that he has falsely been implicated in this case only on the basis



of confessional statement of apprehended accused and except that there is nothing against the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also the fact that petitioner is accused in one more case of similar nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner, if so desire, may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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