

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7042 of 2020

Arising Out of PS. Case No.-22 Year-2019 Thana- NASRIGANJ District- Rohtas

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ABHAY KUMAR CHOUDHARY Son of Collector Choudhary Resident of
Village-Jamalpur, Police Station-Nasriganj, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Narayan Dubey
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with
Nasriganj P.S. Case No. 22 of 2019 for the offence under
sections 414 of the Indian penal Code and Section 37© of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is the owner of the motorcycle and when he was
intercepted by the police nothing incriminating was recovered
from the possession of the petitioner or from the motorcycle.

In the instant case six iron plates were seized from the
Tempo and not from the motorcycle. The owner of the Tempo
which was used for carrying iron plates has been granted bail by
a coordinate bench of this Court in Cr. Misc. No. 279 of 2020.



Considering the fact that similarly circumstanced other co-accused has been granted anticipatory bail, the Court is inclined to grant anticipatory bail to the petitioner, let the petitioner, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional District and Sessions Judge cum Special Judge, Excise, Rohtas, Sasaram, in connection with Nasriganj P.S. Case No. 22 of 2019 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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