

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24678 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- TEGHRHA District- Begusarai

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AMIT KUMAR Son of Anil Yadav Resident of Village - Alapur, Ward No. 6,
P.S. Teghra, District – Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-10-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Teghra P.S. Case No. 28 of 2020 registered under sections 414 and 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, a total of 103.8 litres of illicit liquor was recovered from a santro car by the road side. Two accused persons, namely, Dharmendra Kumar and Mukesh Kumar were taken into custody and they disclosed the name of two persons, who had managed to escape as the petitioner herein and one Chhotu Choudhary.

It is submitted by learned counsel for the petitioner that except for the confessional statement of co-accused made before the police, there is no other material against him. Neither



any recovery has taken place from his possession nor does the car belong to him. It is further submitted that his case stands on a similar footing to that of co-accused Chhotu Chaudhary, who has been enlarged on bail vide order dated 11.6.2020 passed in Cr. Misc. No. 15406 of 2020. The petitioner has no criminal antecedent. The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner not having any criminal antecedent, the Court is not inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Teghra P.S. Case No. 28 of 2020, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Begusarai-cum-Special Judge, Excise Act subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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