

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25582 of 2020

Arising Out of PS. Case No.-320 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

JITENDRA BIND S/o Mukhlal Bind @ Nebulal Bind Resident of Village-
Khanaon, P.S-Bhabua, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-10-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Durgawati P.S.

Case No.320 of 2019 registered under Sections 279, 337, 338 of
the Indian Penal Code and under Section 30(a) of Bihar
Excise(Amendment) Act, 2018.

The informant alleged that during the course of
patrolling duty, he received information that an accident took
place near Kulhariya village on N.H.2. When the informant and
other police officials went there, they found the motorcycle had
collided with a standing truck from behind and two persons
were lying injured. Both the injured were serious and they were
sent to hospital. The informant recovered a bag from the
motorcycle. Smell of liquor was coming from the bag. From the
bag, different brands of Indian made foreign liquor were



recovered. The registration number of the motorcycle was UP-65AB-4370. Two persons namely, Chandan Jaiswal and Jitendra Bind(the petitioner) were found riding on the motorcycle and they were badly injured.

The learned counsel for the petitioner submits that petitioner was not carrying any liquor in any bag. Petitioner was injured and he was referred to Varanasi for treatment. The petitioner got injured in another accident but it appears that petitioner and Chandan Jaiswal were found lying under the static truck and the two motorcyclists, Chandan Jaiswal and the petitioner dashed the static truck from behind and they were badly injured. The informant referred them to hospital for treatment.

Taking into consideration the fact that it was petitioner along with Chandan Jaiswal who was carrying liquor and they met with an accident dashed the static truck in which the petitioner and Chandan Jaiswal were badly injured, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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