

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30901 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- TILAUTHU District- Rohtas

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BHARAT CHOUDHARY S/o- Fulchand Choudhary R/o- Village- Uttarpatti,
Tilauthu, P.S.- Tilauthu, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2020 Heard Mr. Deovind Kumar Singh, learned counsel

for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Tilauthu P.S. Case No. 56/2020

instituted for the offences under Section 30(a) of the Bihar

Prohibition and Excise Amendment Act, 2018.

It has been submitted on behalf of the petitioner

that an absolutely false case has been instituted against the

petitioner and he has been identified by the local Chowkidar

who has definite animus against him. It has further been

submitted that the earlier cases, in which the petitioner was

made accused are of remote past and only because of that



background, the petitioner has been made accused in this case.

This Court is not inclined to grant anticipatory bail to the petitioner keeping in view that the petitioner was made accused in similar nature of cases in the past.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his petition shall be considered on its own merit taking into account that the identification of the petitioner appears to be doubtful and the order shall be passed in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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