

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33598 of 2020**

Arising Out of PS. Case No.-272 Year-2020 Thana- KHAJANCHI HAT District- Purnia

AJIT KUMAR, S/o Sunil Kumar Chourasia @ Sunil Kumar Sharma R/o  
village- Khutti Hasaili, P.S.- Sri Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      12-03-2021                      Heard Mr. Bijendra Kumar Singh, learned  
  
counsel for the petitioner and Md. Aslam Ansari, learned  
  
APP for the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Special Excise Case No. 232 of  
2020, arising out of K. Hat P. S. Case No. 272 of 2020,  
dated 07.06.2020, instituted for the offences under  
Sections 147, 148, 149, 341, 342, 323, 307, 186, 353,  
504 and 506 of the Indian Penal Code and Section 45 of  
the Bihar Prohibition of Excise Act, 2016.

The F.I.R. has been lodged by one Sub  
Inspector of Police alleging that while he was completing



the process of remanding four accused persons, he was surrounded by approximately 20 to 22 persons in the Court compound and was pressurized to release those four accused persons who had been brought for the purposes of remand. One Vikash Yadav threatened the informant of dire consequences in case he did not release those four accused persons.

Two of the accused persons namely Vikky Kumar and Nitesh Kumar were arrested by the police party who have disclosed the name of the petitioner along with seven other persons.

One of such persons who too has been named by Vikky Kumar and Nitesh Kumar has been granted anticipatory bail by a Bench of this Court *vide* order dated 03.03.2021 in Cr. Misc. No. 33849 of 2020.

The learned counsel for the petitioner has submitted that his case is exactly similar to that of Vikash Thakur who has been granted anticipatory bail by a Bench of this Court by the aforesaid order.



Apart from this, it has been submitted that no injury report of any one of the police personnel is on record.

One Bhavesh Kumar was arrested in connection with another case and while his father was going to give him food and clothes, he had requested the petitioner also to come along with him to the Court campus. The petitioner claims to be an onlooker when such an occurrence had taken place and that he has wrongly been named in the F.I.R.

Considering the aforesaid facts and taking into account the clean antecedents of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge cum Special Judge (Excise



Act), Purnea, in connection with Special Excise Case No.  
232 of 2020, arising out of K. Hat P. S. Case No. 272  
of 2020, subject to the conditions as laid down under  
Section 438 (2) Cr.P.C.

The application stands allowed.

**(Ashutosh Kumar, J)**

skm/-

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