

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40128 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- TEGHRHA District- Begusarai

SHUBHAM @ AMAN KUMAR @ KAJU Son of Shiv Kumar Rai Resident
of Village - Daniyalpur, P.S. - Teghra, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-06-2021 Heard Mr. Anil Kumar Choudhary, learned

advocate for the petitioner and the learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Teghra P. S. Case No. 235 of
2020, instituted for the offences under Sections 414 and
120 (B) of the Indian Penal Code and Section 30 (a), 41(1)
(2) of the Bihar Prohibition and Excise Amendment Act,
2018.

Considering the fact that the petitioner was
earlier made an accused in case of similar nature, I am not
inclined to grant anticipatory bail to him notwithstanding the



fact that his implication in the present case is only on the basis of confession of an arrested accused person.

The learned counsel for the petitioner has also pointed out before this Court that with respect to the same occurrence, another case of Excise Act was registered against him vide Barauni P.S. Case No. 305 of 2020 and, therefore, the aforesaid case ought not to be taken as a separate case for denying the privilege of anticipatory bail to the petitioner.

This argument of the learned counsel for the petitioner is not tenable for the reason that apart from Barauni P.S. Case No. 305 of 2020 about which reference has been made in paragraph – 3 of the bail petition and the subject F.I.R, the petitioner has also been made accused in another case of the year 2018, namely, Teghra P.S. Case No. 208 of 2019.

The prayer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be



considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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