

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30542 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- CHACKMEHSI District- Samastipur

Prabhat Kumar @ Prabhat Kumar Chaudhary S/o Sanjay Chaudhary R/o vill -
Nimchak Haider, P.S. - Chakmehsi, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mr. Mrityunjay Kumar, Advocate
	:	Mr. Purushottam Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Chakmehsi P.S. Case No.72 of 2023 dated 08.04.2023, lodged under Sections 468, 471, 420, 414 and 34 of the I.P.C. read with sections 30(a), 32, 36 and 41 of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected vide order dated 09.11.2023 passed in Cr. Misc. No. 70745 of 2023 in which liberty was granted to him to renew his prayer for bail after framing of charge.

4. Learned counsel for the petitioner further submits



that the charge has already been framed in this case on 08.02.2023 which he has annexed as Annexure-3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail and submits that it is true that the charge has already been framed in this case. He further submits that antecedent of the petitioner is not clean. There are 13 cases pending against him in which 6 cases are related to Excise Act and rest are other nature.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-I, Samastipur in connection with Chakmehsi P.S. Case No.72 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

i. Kalyanpur P.S. Case No.180 of 2019.



- ii. Kalyanpur P.S. Case No.295 of 2019.
- iii. Kalyanpur P.S. Case No.261 of 2019.
- iv. Kalyanpur P.S. Case no.214 of 2022.
- v. Kalyanpur P.S. Case No.125 of 2023.
- vi. Kalyanpur P.S. Case No.286 of 2019.
- vii. Chakmehsi P.S. Case No.126 of 2019.
- viii. Chakmehsi P.S. Case No.128 of 2019.
- ix. Chakmehsi P.S. Case No.129 of 2019.
- x. Chakmehsi P.S. Case No.193 of 2019.
- xi. Chakmehsi P.S. Case No.253 of 2020.
- xii. Chakmehsi P.S. Case No.28 of 2021.
- xiii. Chakmehsi P.S. Case No.149 of 2023.

8. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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