

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76095 of 2024

Arising Out of PS. Case No.-116 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Sanjay Kumar Chaurasia @ Sanjay Kumar S/o Arun Chaurasia R/o Village-
Maheshkhutt, P.S.- Mahesh Kutt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar
For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

2. The following order was passed in Cr. Misc. No.
70975 of 2021 on 22.01.2022:-

*“Heard learned counsel for the parties through
video conferencing.*

*This application for grant of anticipatory bail
arises out of Industrial Area P.S. Case No. 116 of 2021
registered for the offence under Sections 272, 273, 188/34
of the Indian Penal Code and under Section 30(a) of the
Bihar Prohibition & Excise Act, 2016.*

*In view of the fact that prima facie a case under
the Excise Act, is made out against the petitioner, this
application for grant of anticipatory bail to the petitioner is
not maintainable in view of Full Bench decision of this
Court rendered in the case of **Ram Vinay Yadav vs. The
State of Bihar reported in 2019(2) P.L.J.R. 1089 (F.B.).***

*Accordingly, this anticipatory bail is dismissed
as not maintainable.”*



3. The petitioner has not surrendered after the dismissal of his bail application earlier. The petitioner is accused in a case of 2021 and he is an absconder.

4. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

5. In view of the above, this application is dismissed.

6. If the petitioner does not surrender within two weeks from today then the Senior Superintendent of Police, Bhagalpur will take all steps for arrest of the petitioner and file a report by the 10th of January, 2025.

7. List this case on 10th of January, 2025.

8. Let a copy of the order be communicated to the Senior Superintendent of Police, Bhagalpur through FAX/e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

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