

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71743 of 2023

Arising Out of PS. Case No.-712 Year-2022 Thana- KANTI District- Muzaffarpur

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Amit Kumar @ Amit Chaudhary @ Amit Kumar Chaudhary, Son of
Rameshwar Chaudhary, Resident of village - Harlochanpur Sukki, P.S.-
Patepur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 05-01-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kanti P.S. Case No. 712 of 2022 dated 21.10.2022 registered
for the offences punishable under Sections 30(a), 32(i) and
(ii), 36 and 41(i) of the Bihar Prohibition & Excise Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier bail prayer was rejected
by this Bench vide order dated 10.04.2023 passed in Cr. Misc.
No. 74436/2022 preferred by this petitioner.

4. The fresh grounds taken by the petitioner for the
relief of regular bail in his second attempt are his long custody
period and no progress made in his case by the trial court and



the privilege of bail having been granted to similarly situated co-accused persons. It is submitted by learned counsel for the petitioner that the petitioner has been languishing in jail since 22.10.2022 and in the order dated 10.04.2023 by which the petitioner's earlier bail prayer was rejected, he was given a liberty to renew his bail prayer after six months if no significant progress is made in his trial and in this regard, the status report of petitioner's trial has also been called for and after rejection of petitioner's first bail prayer, co-accused namely Ravi Kumar @ Ravi Sahni @ Ravi Master who was also apprehended along with this petitioner, as per the prosecution's allegation, has been granted bail vide order dated 02.05.2023 passed in Cr. Misc. No. 6213/2023. Further submission is that against the petitioner, there are four criminal antecedents including the present matter and on earlier occasion by mistake of fact, seven cases have been shown as his criminal antecedents.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the petitioner's custody period and status of his case as appears from the report of the trial court and the



same goes to show that the petitioner’s case is running for the appearance of co-accused persons and one similarly situated co-accused person is on bail as submitted above, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection Kanti P.S. Case No. 712 of 2022.

(Shailendra Singh, J)

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