

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.898 of 2020

Arising Out of PS. Case No.-323 Year-2019 Thana- BARAULI District- Gopalganj

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Jitendra Prasad, Son of Belas Bhagat, Resident of Village - Giri Tola, Jamo
Mathiya, P.S.- Barauli (Madhopur O.P.), District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Barauli P.S. Case No. 323 of 2019 registered for the offence(s) under section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per the allegation in the F.I.R., a video footage message was received by the informant (police personnel) wherein the accused persons including the petitioner could be seen dealing in distribution of liquor.

It is submitted by learned counsel for the petitioner that from the contents of the F.I.R. itself it would transpire that the case has been registered on the basis of an unverified video footage received by the informant. There is no other material



against this petitioner nor any recovery of incriminating article has taken place from the person or possession of the petitioner. Further, the F.I.R. is silent even to the effect as to from whom the said video footage was received or whether the genuineness of the same was verified. The petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Barauli P.S. Case No. 323 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

Ankit/-

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