

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.9640 of 2020**

Arising Out of PS. Case No.-10 Year-2020 Thana- BASANTPUR District- Siwan

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PRAKASH PRASAD @ OM PRAKASH SAH Son of Raghunath Sah
Resident of Village - Sareya, P.S. - Basantpur, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking anticipatory

bail in connection with Basantpur P.S. Case No. 10 of 2020

registered for the offence punishable under Sections 272, 273, 308

of the Indian Penal Code and Section 30(a) of Bihar Prohibition &

Excise Act.

Learned counsel for the petitioner submits that save

and except the secret information there is no material regarding

identification of the petitioner that sensing the Police party the

petitioner fled away. It is further submitted that the petitioner



has one case on his head in which he is on bail.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that according to the first information report, on a secret information Police Party had reached in the street near Prakash Hotel where the two persons were allegedly selling the liquor which was kept in a bag, on seeing the police party they fled away after leaving the bag and submission of learned counsel for the petitioner that there is no source of identification of this petitioner, only on the basis of alleged secret information name of this petitioner has been brought in this case and there is one case in which he is on bail, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Basantpur P.S. Case No. 10 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

