

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10169 of 2020**

Arising Out of PS. Case No.-711 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. AMARDEEP KUMAR @ TINKU S/o Late Damodar Sah @ Damodar Prasad R/o village- Rajputana Mohalla, Sadar Chowk, Ward No. 34, P.S.- Dehri Town, District- Rohtas, Sasaram
2. Awadhesh Sah @ Awadhesh Sao @ Awadhesh Prasad S/o Late Dularchand Sah R/o village- Rajputana Mohalla, Sadar Chowk, Ward No. 34, P.S.- Dehri Town, District- Rohtas, Sasaram

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

**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 petitioners and learned APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Dehri Town P.S. Case No. 711 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that the petitioners have been implicated in this case merely because they are related with the co-accused who was arrested from the



spot and there is no direct material to connect the petitioners with the alleged recovery and the petitioners have no criminal antecedent.

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 petitioners that these petitioners have been made accused only because they were related to the co-accused who were arrested in course of raid, it has been alleged that the illicit liquor was being stored in the joint family house for the purpose of selling, however, there is no direct allegations against these petitioners and there is absolutely no material to connect them with the present case, the petitioners have also no criminal antecedent in such circumstance, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Dehri Town P.S. Case No. 711 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum- Special Judge, Excise, Rohtas at Sasaram, 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'.

