

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11338 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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ANKIT ANAND JHA @ BITTU JHA Son of Sri Ajay Kumar Jha Resident of
Village - Shahpur, Ward No. 8, P.S. - Sonbarsa Raj, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. A. L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-06-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

This application for grant of anticipatory bail arises
out of Special (Excise) Case No. 05 of 2020, disclosing offence
under Section 30 (a) of the Bihar Prohibition and Excise Act,
2016.

The allegation against the petitioner, as per the
prosecution Report, is that the Excise Officials, on the basis of
secret information, raided the poultry farm of the petitioner and
recovered 120 litres of country-made illicit liquor and 189 litres
of illicit foreign liquor.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case inasmuch as no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner. He, referring to paragraph 7 of this application, submits that the said poultry farm does not belong to the petitioner and also that the land, upon which the said poultry farm is situated, is not owned by the petitioner. He next submits that the petitioner has got no criminal antecedent.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that the poultry farm does not belong to the petitioner and the land, on which the poultry farm is situated, is also not owned by the petitioner and that the petitioner has got no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saharsa, in connection with Special (Excise) Case No. 05 of 2020, subject



to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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