

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16111 of 2020**

Arising Out of PS. Case No.-134 Year-2018 Thana- KORANSARAI District- Buxar

JHABU RAM Son of Sri Jag Lal Ram Resident of Village and Post-
Mungaon, P.S.- Karan Sarai, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad
For the Opposite Party/s : Mr.Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

4 11-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Ashok Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Karan Sarai PS case no. 134 of 2018 registered for the offences punishable under Sections 353 and other allied sections of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

The allegation is regarding the police having received secret information that some people were sitting at the house of Mahesh Ram and were drinking liquor, whereafter raid was conducted and some quantity of illicit liquor was recovered.



It is further alleged that some of the accused persons were arrested, however a mob of 20-25 people had assembled at the alleged date of occurrence and had succeeded in forcefully freeing the arrested accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that neither any recovery of illicit liquor has been made from the petitioner nor he was present at the alleged place of occurrence nor he is having any complicity in the matter.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and a general and omnibus allegation has been levelled on several persons, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with



two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Buxar in connection with Karan Sarai PS case no. 134 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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