

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16160 of 2020**

Arising Out of PS. Case No.-11 Year-2020 Thana- DANIYAWAN District- Patna

SHANKAR GOP @ SHANKAR YADAV S/o Bhola Yadav Resident of
Village- Salarpur, P.S.- Daniyawar, Distt- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad,Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta,APP

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

2 12-06-2020 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 Special Case No. 738 of 2020 arising out of Daniyawar P.S. Case No. 11 of 2020 registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise (Amendment) Act 2018.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the name of the petitioner transpired in the present case on the basis of confessional statement of the co-accused and he has 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, the illicit liquors are said to have been recovered from a Kharhar near the house of Arvind Kumar and further submission that save and except alleged statement of the apprehended accused saying that the petitioner is one of the persons who escaped after seeing the police party, there is no other material to connect him with the present case as also that the petitioner has got no criminal antecedent as stated in paragraph '3' of the present application, there being no prima-facie material to connect the petitioner with the present case, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Special Case No. 738 of 2020 arising out of Daniyawan P.S. Case No. 11 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna, 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)

SUSHMA2/Arvind

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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'.

