

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16282 of 2020**

Arising Out of PS. Case No.-16 Year-2020 Thana- DIGHWARA District- Saran

=====

ASHOK PANDIT Son of Late Muni Pandit Resident of Village-Kesarpur,
P.S.-Dighwara, District-Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, 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 Dighwara P.S. Case No. 16 of 2020
registered for the offence punishable under Sections 272, 273 of
the Indian Penal Code and Sections 30(a), 38, 41 of Bihar
Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
alleged recovery of illicit liquor has been made from a vehicle
which does not belong to the petitioner and similarly situated
co-accused Nirbhay Kumar Singh has been allowed anticipatory
bail by a learned co-ordinate Bench of this Court in Cr. Misc.
No. 15424 of 2020.

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 only on secret information the name of the petitioner has been brought in this case, there is no material to connect him otherwise, the petitioner is neither owner of the vehicle nor driver of the said vehicle and further submission that similarly placed co-accused Nirbhay Kumar Singh has been granted privilege of anticipatory bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 15424 of 2020, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Dighwara P.S. Case No. 16 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 Additional District & Sessions Judge – II – cum Special Judge, Excise, Saran, 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)

avin/-rajeev

U		T	
---	--	---	--

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'.

