

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16176 of 2020**

Arising Out of PS. Case No.-44 Year-2019 Thana- BAHADURPUR District- Darbhanga

GUDDU @ GOLU JHA Son of Late Nilamber Jha @ Mohan Jha Resident of
Kherajpur, Ward no. 12, P.S. - Bahadurpur, District - Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bauye Jee Jha (B.J. Jha), Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, 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 Bahadurpur P.S. Case No. 44 of 2019 (G.O. Case No. 108 of 2019) registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated on mere secret information. It is further submitted that no illicit liquor has been recovered from the possession of the petitioner. The co-accused Rahul Jha has already been granted privilege of anticipatory bail by a learned Coordinate Bench of this Court in Cr. Misc. Case No. 21408 of 2019.

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 submitted that on secret information police has recorded in the FIR that this petitioner and co-accused Rahul Jha had got the consignment of illicit liquor but save and except that secret information there is no other material to connect the petitioner with the present case and the co-accused Rahul Jha has already been granted privilege of anticipatory bail by a learned Coordinate Bench of this Court in Cri. Misc. Case No. 21408 of 2019, even though two criminal antecedents of similar nature have been reported against the petitioner but there being no source of identity of the petitioner and co-accused having been granted privilege of anticipatory bail, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Bahadurpur P.S. Case No. 44 of 2019 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 A.D.J. 2nd cum Special Judge (Excise Act), Darbhanga, 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'.

