

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29514 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

BABLOO JHA @ RAJESH KUMAR BABLOO S/o Jai Kant Jha R/o Sanha
Purab, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2020 Heard Mr. Arun Kumar No. 1, learned counsel for the
petitioner and Mr. Manoj Kumar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with
Sahebpur Kamal P.S. Case No. 85 of 2020 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The allegation as per the First Information Report is
that the Police raided the house of one Pintu Sah and recovered a
total quantity of 1.75 litres of illicit foreign liquor from his
house and the name of petitioner has been disclosed by co-
accused Pintu Sah from whose possession the illicit liquor has
been recovered.

Learned counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and no illicit liquor has been recovered either from his conscious possession or from the premises belonging to him. Learned counsel further submits that the name of petitioner has transpired on the basis of confessional statement of co-accused Pintu Sah from whose house the illicit liquor has been recovered. Learned counsel also submits that the petitioner has got no criminal antecedent of similar nature and from perusal of the First Information Report and the seizure list, no *prima facie* offence under the Excise Act is made out against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that no illicit liquor has been recovered either from conscious possession of the petitioner or the premises belonging to him, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd, cum Special Judge, Excise Act, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 85 of 2020,



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

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

(Anil Kumar Sinha, J)

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