

**IN THE HIGH COURT OF JHARKHAND AT RANCHI  
A.B.A. No.816 of 2020**

Nageshwar Singh ..... Petitioner  
**Versus**  
The State of Jharkhand ..... Opposite Party

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**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**  
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For the Petitioner : Mr. Suraj Singh, Advocate  
For the State : Mr. Hardeo Prasad Singh, A.P.P  
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**03/Dated: 15/04/2020**

1. The petitioner has moved before this Court for grant of privilege of anticipatory bail who is apprehending his arrest in connection with Complain Case No.369 of 2019, registered under Section 47(a), 47(b), 47 (c) of Excise Act.
2. Heard learned counsel for the petitioner and learned counsel for the State through Video Conferencing.
3. From the order dated 18.02.2020, it appears that the petitioner was directed to file a supplementary affidavit indicating the criminal antecedent of the petitioner.
4. Learned counsel for the petitioner submits that as on date, there is no criminal antecedent of the petitioner and the criminal cases which has been mentioned in page 13, which is part of complaint petition, has been compromised in the Lok Adalat and at present there is no criminal antecedent of the petitioner and the same has been categorically stated in paragraph 2 of the supplementary affidavit. The learned counsel further submits that neither the seized article (liquors) has been recovered from the conscious possession of the petitioner nor he was apprehended on the spot, but nonetheless the informant having past grudge, falsely

implicated the petitioner. The learned counsel further submits that the petitioner volunteers to pay an amount in the Prime Minister Care Fund, meant for the present epidemic i.e. COVID-19.

5. The learned APP opposed the prayer for anticipatory bail

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of the petitioner.

6. Considering the submissions of the counsels and the prosecution case and also the specific averment mentioned in the supplementary affidavit regarding no criminal antecedent of the petitioner, I am of the opinion that it is fit case to give the privilege of anticipatory bail to the petitioner. Hence, in the event of his arrest / surrender within a period of two months from the date of this order, he shall be released on bail on showing the proof of payment of Rs.10,000/- (Ten thousands) in the Prime Minister Citizens Assistant Relief in Emergency Situation (P.M. Care) fund and on furnishing bail bond of Rs.25,000/- (Twenty five thousand only) with two sureties of the like amount each to the satisfaction Sub Divisional Judicial Magistrate, Ghatsila in connection with Complain Case No.369 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Deepak Roshan, J.)**