

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.3014 of 2020

Jubrail Ansari @ Mohammad Jibril Ansari @ Md. Jibril Ansari
..... Petitioner

Versus

The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Anupam Anand, Advocate

For the State : Ms. Priya Shrestha, A.P.P

Order No.02 Dated- 09.09.2020

Heard the parties through video conferencing.

Apprehending his arrest in connection with Nawadih P.S. Case No.97 of 2019 corresponding to G.R. No.1157 of 2019 instituted under Sections 414, 290, 34 of the Indian Penal Code and Section 47 (a) of Excise Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Mr. Anupam Anand- learned counsel for the petitioner undertakes to remove the defects pointed out by the stamp reporter within two weeks after the lockdown is over.

In view of personal undertaking given by the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner kept huge quantity of illegal liquor and upon raid being made by police, 2000 bottles of *Chakde Royal Blend Whisky* was recovered from the shop of the petitioner. It is submitted that the allegation against the petitioner is false. Drawing attention of this Court towards para-19 of the instant anticipatory bail application, learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Drawing attention of this Court towards page-5-6 of the brief at Annexure-2 which is the copy of the agreement between the co-accused Durga Mahto and Munir Ansari who is the owner of the said shop, learned counsel for the petitioner submits that he had leased out the said shop to the co-accused Munir Ansari and the

petitioner has nothing to do with the said shop. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case and undertakes to furnish sufficient security including cash security of Rs. 2,00,000/-. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned A.P.P appearing for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioner. Accordingly, the petitioner is directed to surrender in the Court of learned Additional Chief Judicial Magistrate, Bermo at Tenughat within eight weeks from today and in the event of his arrest or surrendering, he will be enlarged on bail on depositing **Rs.2,00,000/-(Rupees two lakh) as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bermo at Tenughat in connection with Nawadih P.S. Case No.97 of 2019 corresponding to G.R. No.1157 of 2019 **with the condition that he will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish his mobile number and photocopy of the Aadhar Card with an undertaking that he will not change his mobile number during the pendency of the case** and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Choudhary, J.)