

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**(Criminal Miscellaneous Jurisdiction)**  
**A.B.A. No. 3083 of 2020**

Jai Bishnu Kumar @ Jay Bishnu Kumar ..... Petitioner  
**Versus**  
The State of Jharkhand ..... Opp. Party

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**CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO**  
**(Through : Video Conferencing)**

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For the Petitioner : Mr. Suraj Mohan, Advocate.  
For the State : Mr. Naveen Kumar Ganjhu, A.P.P.

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**02/Dated: 09/09/2020**

Heard, learned counsel for the petitioner, Mr. Suraj Mohan.

Learned counsel for the petitioner has submitted that defect nos. 9 (i) to (iii), as per Stamp Reporting dated 07.07.2020, have not been removed, which he undertakes to remove within 30 days after the physical court starts and prayed for hearing of the anticipatory bail application, as petitioner is apprehending his arrest during pandemic of Covid-19.

Considering the same, this Court is inclined to hear the instant anticipatory bail application on merits, but with condition that petitioner shall remove the defect(s) within 30 days after the physical court starts.

Joint Registrar (Judicial) is directed to ensure the compliance of this order after the physical court starts so as to remove the defect(s).

Learned counsel for the petitioner has submitted that the petitioner is apprehending his arrest in connection with Mango (Olidih) P.S. Case No. 34/2020 for the offence registered under Sections 272 & 273 I.P.C. and Section 47(A) of the Excise Act.

Learned counsel for the petitioner has submitted that the petitioner has no role in the said offence, rather on the basis of disclosure made by the seizure witness, the name of petitioner has been mentioned in the First Information Report as 520 liters of mahua liquor kept in 15 tubes was kept in the house of Vijay Prasad Gupta and petitioner has no role or involvement in the said business nor he has any concern with the house of co-accused, Vijay Prasad

Gupta, petitioner has no criminal antecedent and without any legal material, he has been made accused and apprehending his arrest, as such, he may be enlarged on anticipatory bail.

Learned counsel for the State, Naveen Kumar Ganjhu, Additional Public Prosecutor has opposed the prayer of bail and has submitted that this petitioner was partner of co-accused, Vijay Prasad Gupta, whose prayer for anticipatory bail has been rejected by Coordinate Bench of this Court vide order dated 17.08.2020 passed in A.B.A. No.3303/2020, as such, petitioner may not be enlarged on bail.

Considering the rival submissions of the parties, since the petitioner does not claim any partnership with Vijay Prasad Gupta or any relation with the house of Vijay Prasad Gupta or liquor seized by the prosecution, State counsel is directed to file detail counter affidavit within a period of four weeks in this regard as well as criminal antecedent of the petitioner.

Put up this case after four weeks.

In the meantime, no coercive steps shall be taken against the petitioner / not to arrest the petitioner in connection with Mango (Olidih) P.S. Case No. 34/2020, pending in the court of Judicial Magistrate, 1<sup>st</sup> Class, Jamshedpur.

**(Kailash Prasad Deo, J.)**

Sunil-Jay/