

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39503 of 2015

Arising out of PS.Case No. -134 Year- 2012 Thana -GOVERNMENT OFFICIAL COMP. District-
MADHUBANI

Siya Ram Paswan, Son of Ghurghur Paswan, resident of Village Mohanpur,
P.S. Babubarhi, District - Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection with
G.O. Case No. 134/2012 for the offences instituted under Section
47(a) of the Excise Act.

It is alleged that from the house of the petitioner, 35 liters
illegally manufactured liquor and 150 Kg. Jaba Mahua have been
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has been made accused in the present case due to
mistake of fact. There is no recovery from conscious possession of
the petitioner. It is further submitted that the petitioner is ready to

deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with G.O. Case No. 134/2012 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)