

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17719 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -WARSALIGANJ District- NAWADA

Shyam Paswan S/o Late Hari Paswan, Resident of Village- Rasalpur, P.S.-
Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner apprehends his arrest in connection
with Warisaliganj P.S. Case No. 39 of 2016 registered for
offences punishable under Sections 290, 272 273 of the
Indian Penal Code and Section 47(A) of the Excise Act.

The prosecution case, in brief, is that on secret
information, informant made a raid along with other police
officials and recovered 20 litres of country made wine kept
in a plastic jar and 30 litres kept in another plastic jarkin
and prepared seizure list. However, petitioner is alleged to
have fled away from the place of occurrence.

It has been submitted by the learned counsel for

the petitioner that petitioner is innocent, has falsely been implicated in the aforesaid case and nothing has been recovered from his possession. It has further been submitted that a false case has been filed against the petitioner due to enmity and Gram Panchayat politics.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report and, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada in connection with Warisaliganj P.S. Case No. 39 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, it is made clear that the petitioner who is also an accused in another case, bearing Warisaliganj P.S. Case No. 32 of 2016 registered for the similar nature of offence, as such, in future, if he is found



to have indulged in similar nature of offence, learned Court below will be at liberty to cancel his bail bonds without being prejudiced by this order.

(Nilu Agrawal, J.)

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