

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46134 of 2016

Arising Out of PS.Case No. -282 Year- 2016 Thana -BARAUNI District- BEGUSARAI

Pawan Kumar, son of Ram Bilas Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma, Advocate

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 188/290 of the Indian Penal Code and 47a of the Bihar Excise (Amendment) Act.

Prosecution case is that the informant being Officer-In-Charge Barauni P.S. received secret information that the liquor is being traded by Ramu Rai, who is residing as tenant in the house of Dhiraj Singh situated wherein Dr. M. K. Jha was also running his clinic. On seeing the police party, three persons tried to flee away but two were caught and they disclosed their names as Chandan Kumar and Ramu Rai whereas they disclosed that

the person who escaped from the scene was Pawan Kumar the petitioner before this Court. From the medical shop situated in the clinic of Dr. M. K. Jha one bottle of 750 ml liquor and 13 bottles from the house of Ramu Rai were recovered.

It is submitted by learned counsel for the petitioner that admittedly no recovery has been made from the possession of the petitioner and on suspicion the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM,, Begusarai, in connection with Barauni P.S. Case No.282/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the

petitioner will give liberty to the learned court below to cancel
the bail bonds of the petitioner.

Ashwini/-

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(Dinesh Kumar Singh, J)