

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38437 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -SHEOHAR District- SHEOHAR

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1. Indal Paswan, S/o Nandu Paswan, resident of village- Mirzapur,
Dhovahi, P.S. + District- Shivhar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Smt. Reena Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Shivhar P.S.**

Case No.90 of 2017 instituted for the offence under Section(s)

Section 30-a, 37-a of the Bihar Prohibition & Excise Act, 2016.

Counsel for the petitioner has submitted that alleged recovery of liquor was made from the possession of Rajendra Mahto, who disclosed the name of this petitioner as driver of the vehicle.

As such, from the written report itself, it appears that there is no recovery from the possession of this petitioner. It is mentioned in para 3 that the petitioner has clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Shivhar P.S. Case No.90 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **ADJ 1st, Shivhar**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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