

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61489 of 2017

Arising Out of PS.Case No. -246 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)
=====

1. Sikandar Paswan S/o Firangi Paswan @ Firangi Ram R/O village-
Majhiaon, P.S. + District- Rohtas

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 30(a), 34 of Bihar Prohibition and
Excise Act, 2016.

The prosecution story, in brief, is that total 17 litres of
liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. It is
alleged that total 17 litres of liquor is recovered by the side of a
temple. The petitioner has been made accused at the instance of
Bablu Paswan, who is agnate of the petitioner and there is
admitted family dispute between the parties. Except for this, there
is no other substantive evidence to suggest the implication of the



petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of section 100 of the Cr.P.C.

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, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Rohtas P.S. Case No. 246/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum- Special Court, Excise, Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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