

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46146 of 2017

Arising Out of PS. Case No.-48 Year-2017 Thana- ASAWAN District- Siwan

Siddheshwar Pathak, Son of Late Sitaram Pathak, resident of Village-
Barwan, P.O.- Asawan, P.S.- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Y.C. Verma, Sr. Advocate Sri Nityanand Mishra
For the Opposite Party/s	:	Sri Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Y.C. Verma, learned senior counsel, assisted by
Sri Nityanand Mishra, learned counsel for the petitioner and
Sri Sanjay Kumar Singh, learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in connection
with Asawan P.S. Case No. 48 of 2017 registered for the
offence under Section 272 / 273 / 308 of the Indian Penal Code
1860 and section 30(A) and 38 (B) of the Bihar Prohibition
and Excise Act, 2016 has prayed for grant of bail in the event of
his arrest or surrender.

It was submitted by learned counsel for the petitioner that
petitioner is a retired teacher aged about 73 years. He submits
that in the present case petitioner has been made accused in
view of the fact that petitioner is the owner of the building



which is being used as a School by School management committee, with whom petitioner has got no connection and from that premises recovery of Indian make foreign liquor was shown. He submits that petitioner has been made accused only because of the fact that he is the owner of the building, in which a School is continuing. He further submits that petitioner is having clean antecedent, which fact has been stated in paragraph no. 3 of the petition.

In view of the facts and circumstances, in the event of his arrest or surrender, within a period of six weeks from today, let the petitioner Siddheshwar Pathak be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan/ concerned court in connection with Asawan P.S. Case No. 48 of 2017 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure , 1973 .

(Rakesh Kumar, J)

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