

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39750 of 2017

Arising Out of PS.Case No. -216 Year- 2017 Thana -BIHTA District- PATNA

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Ramesh Paswan @ Bakat Paswan @ Bikat Paswan, son of Late Birandi Paswan. resident of Village - Jamunapur, P.S. Bihta, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9 13-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Special Case No. 300 of 2017 arising out of Bihta P.S. Case No. 216 of 2017** instituted for the offence under Section 30 (a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner has submitted that in the seizure list it is mentioned that recovery has been made from the orchard of Arun Kumar Singh.

In the written report it is mentioned that Arun Kumar Singh has disclosed the name of this petitioner. There is no recovery from possession of this petitioner which would be apparent from the seizure list as well as in the written report.

It is mentioned in paragraph-3 of the bail petition that



petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Special Case No. 300 of 2017 arising out of Bihta P.S. Case No. 216 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, Patna**, 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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