

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55926 of 2017

Arising Out of PS. Case No.-317 Year-2017 Thana- KOTWALI District- Patna

Ramanand Paswan, Son of late Deni Paswan Resident of Village- Ghataro,
P.S. Lalganj, District Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Advocate
For the Opposite Party/s : MD. ANSARUL HAQUE, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offence punishable under Sections 272, 273, 120 B of the Indian Penal Code and Sections 30 (a), 38 (2), 41 (1) (2) and 47 of Bihar Excise Amendment Act.

It is contended that, as per allegation, about 1762.5 liters of foreign liquor was recovered from the old MLA house which was under demolition. It is stated that three persons tried to escape therefrom but all of them including the petitioner were apprehended. It is contended that the petitioner was not in the control of the premises rather it is stated in the FIR itself that Ramashray Prasad and Pappu Kumar, who were the contractors, were in the control of the premises, whereas the petitioner is merely a labourer engaged by the contractors for



demolition/construction of the concerned building and, thus, he has no connection with the alleged illicit liquor. It is urged that the petitioner has remained in custody since 2.07.2017,i.e., for more than four and half months. It is claimed that his antecedent is clean.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released 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 Special Judge, Excise Act, Patna in connection with Special Case No. 3289 of 2017 arising out of Kotwali P.S. Case No. 317 of 2017 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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