

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69906 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- SAMHO District- Begusarai

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Ram Nandan Paswan, S/O Late Baleshwar Paswan, R/V- Akaha-Kurha,
P.S.Shamho, District-Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 272, 273, 120(B)/34 of the
IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 269.28
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case. It is alleged that total 269.28 liters wine is



recovered from the premises in question. The name of the petitioner has come in the present case as the petitioner is the Headmaster of the School from where the alleged recovery is said to have been made. Prior to the alleged date of occurrence, the petitioner had handed over the charge of the Principal to one Diwakar Prasad Singh. 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 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Bihar Prohibition and Excise Act, Begusarai, in connection with Samho P.S. Case No. 21 of 2018, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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