

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24110 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- CHANDMUNDI District- Jamui

SUBHASH PASWAN @ SUBHASH KUMAR PASWAN, S/o Sukhdeo
Paswan, resident of Village- Laharnia, P.S. Chandramandi, District Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. . Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 272, 273 of the Indian Penal Code and Section 30A of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 liters beer and 150 kg mahua are 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. The name of the petitioner has transpired on the basis of disclosure made by the co-accused namely Munna Kumar Sah. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged



that 3 liters beer and 150 kg mahua are recovered from the open field situated at the back of the house of the petitioner. The land in question does not belong to the petitioner. 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/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 learned A.D.J.-2, Jamui in connection with Chandramandih P.S. Case No. 17/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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