

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36535 of 2018**

Arising Out of PS. Case No.-229 Year-2017 Thana- MAIRWA District- Siwan

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Dharmnath Pasi, Son of Late Sita Pasi R/o Village - English, P.S. Mairwa,  
District - Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mrs. Sucheta Yadav, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2     29-06-2018                      Heard Sri Ajay Kumar Tiwary, learned counsel for  
  
the petitioner and Smt. Sucheta Yadav, learned Addl. Public  
  
Prosecutor.

The sole petitioner, having clean antecedent, which  
fact has been stated in paragraph-3 of the petition, apprehending  
his arrest in Mairwa P.S. Case No.229 of 2017 registered for the  
offence under Sections 272, 273 and 34 of the Indian Penal  
Code and Sections 30(a), 41(i) of the Bihar Prohibition and  
Excise Act, 2016, has prayed for grant of bail, in the event of his  
arrest or surrender.

Learned counsel for the petitioner submits that in this  
case, nothing was recovered either from the conscious  
possession or from the premises of the petitioner, however on  
recovery of about 5 liters of Mahua liquor from outside of the



house of the petitioner, the petitioner has been made accused.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail, however she has not disputed the fact that nothing was recovered from the house of the petitioner.

Considering the facts and circumstances, in the event of his arrest or surrender within six weeks from today, let the petitioner, namely, Dharmnath Pasi be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. District & Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No.229 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

**(Rakesh Kumar, J)**

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