

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28791 of 2018

Arising Out of PS.Case No. -624 Year- 2017 Thana -RUNISAIDPUR District- SITAMARHI

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1. Mohan Paswan, son of Rajendra Paswan, resident of Village- Prem Nagar, Police Station- Runni Saidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 30-05-2018 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 Sections-52, 30(A) of the Bihar Prohibition and Excise Act, 2016.

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 secret information. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 278 litres toddy is recovered from a public land. 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.

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 ADJ-II-cum-Special Judge, Excise, Sitamarhi in connection with Runnisaidpur P.S. Case No. 624 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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