

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75160 of 2018

Arising Out of PS. Case No.-865 Year-2018 Thana- SITAMARHI District- Sitamarhi

Upendra Paswan, Son of Jagdish Paswan, Resident of Village- Murliya Chak,
Police Station- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 253 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that 6.240 liters of foreign liquor were recovered from co-accused Ashish Sharma, who disclosed the name of the petitioner, Upendra Paswan, who escaped from the scene.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious possession of the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.



It is submitted by learned APP for the State that the name of the petitioner sprang up on the confessional statement of co-accused Ashish Sharma.

Considering the accusation which suggests recovery from co-accused, Ashish Sharma, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **ADJ-II-cum-Special Judge, Excise Act, Sitamarhi** in connection with **Sitamarhi P.S. Case No. 865 of 2018** subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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