

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7363 of 2020

Arising Out of PS. Case No.-134 Year-2019 Thana- BARH District- Patna

VIKAS PASWAN @ JATO PASWAN Son of Yado @ Bhado Paswan
Resident of Village - Vikash Nagar, P.S.- Barh, Distt.- Patna.... .. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s :Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Barh P.S. Case No. 134 of 2019 registered for the offence punishable under Section 30(A) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the place from where the illicit liquor is said to have been recovered does not belong to the petitioner and the seizure list witnesses are of different village. The petitioner has been falsely implicated in this case.

Learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the Gaushala from where the alleged illicit liquor has been



recovered does not belong to the petitioner as the petitioner is a landless person and he has no Gaushala and further that two seizure list witnesses who have signed the seizure list are not the co-villagers of the petitioner and they seem to have been introduced as a seizure list witness just to falsely implicate the petitioner in this case as also that the petitioner has no criminal antecedent, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Barh P.S. Case No. 134 of 2019, Spl. Case No. 2964 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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