

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33097 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- PUNAURA District- Sitamarhi

NITISH PASWAN @ NITESH PASWAN, S/o Syam Paswan, R/o village-
Ramnagar, Virta, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 15-06-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

Informant has alleged that two persons riding on a
motorcycle, when intercepted by police, the rider pushed the
pillion rider and fled away with the motorcycle and pillion rider
was arrested who disclosed his name as Govind Paswan and
from his possession 11 litres of illicit liquor was recovered. He
also disclosed the name of petitioner as rider of the motorcycle.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to

previous enmity and litigation with Govind Paswan. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi, in connection with Panaura P.S. Case No. 132 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found

involved in similar nature of offences,
after his release on bail the trial court
shall take steps to cancel his bail bond.

(S. Kumar, J)

Rajiv/veena-

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