

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45795 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- BAUNSI District- Banka

SURAJ Pal aged about 35 years S/O KHUVI RAM @ Khubi Ram R/o
village- Naglakeharya, P.S.- Bhasni (Sasani), District- Hathras (Uttar Pradesh)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-11-2021

At the outset, learned counsel for the petitioner is permitted to correct the surname of the petitioner as 'Pal' in place of 'Rai' as also the surname of his father occurring wrongly in the cause title of the bail petition.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 3963.96 liters of liquor was recovered from a truck of which the petitioner was the driver.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the



conscious possession of the petitioner and he is no way concerned with the alleged recovery as being driver he was not aware of the nature of consignment being transported by the said vehicle. Petitioner claims clean antecedent. Petitioner is in custody since 6.10.2020. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum Special Judge, Excise Act Banka in Bounsi Police Station Case No. 259 of 2020.

(Prabhat Kumar Singh, J)

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