

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51976 of 2022

Arising Out of PS. Case No.-307 Year-2019 Thana- BARH District- Patna

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Suraj Kumar @ Suraj Paswan, Son of Shyamlal Paswan, R/V- Sahari, P.S-
Barh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Barh P.S. Case No. 307 of 2019 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
and Excise Act.

As per prosecution case, recovery of 7.2 liters of
country made liquor was made from the house of the petitioner
who was not apprehended from the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Learned counsel further submits that the petitioner was not

apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. The alleged recovery has been made from the joint house of the petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 05.05.2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Barh, District-Patna in connection with Barh P.S. Case No. 307 of 2019 (Special Case No. 6052 of 2019), subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the

court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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