

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62131 of 2022

Arising Out of PS. Case No.-382 Year-2022 Thana- NARPATGANJ District- Araria

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Surendra Paswan @ Suren Paswan @ Suren @ Soran Son of Kailu Paswan
R/o village - Koshikapur Banailipatti, Ward No.- 06, P.S.- Birpur, District -
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the State : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual Court proceedings.

The petitioner seeks bail in connection with Narpatganj
(Basmatiya) P.S. Case No. 382 of 2022 registered for the
offence under Sections 272 and 273 of Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since 22.08.2022.

The allegation against the petitioner is to have in
possession of a total of 252 liters of Nepali liquor.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery of illicit liquor was made from
the cycle, which is not connected in any manner with this
petitioner, and as such, it cannot be said that recovery of illicit



liquor was made from conscious physical possession of the petitioner. While concluding the argument, it is submitted that investigation of this case in this case is complete, for which, chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances, as mentioned above, as recovery of illicit liquor not appears to be made from the conscious physical possession of the petitioner coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Narpatganj (Basmatia) P.S. Case No. 382 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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