

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29060 of 2023**

Arising Out of PS. Case No.-277 Year-2022 Thana- BARUN District- Aurangabad

Saroj Kumar S/O Dhupan Paswan R/O Village- Pritampur, P.S- Barun, Distt.-  
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance:**

For the Petitioner/s : Mr. Leelawati Kumari, Advocate  
For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      18-05-2023      1.      Heard learned counsel for the petitioner and the learned  
APP for the State.
2.      Petitioner seeks regular bail in connection with Barun P.S.  
Case No. 277 of 2022 dated 30.06.2022 registered for the offence  
punishable under Section 30(a) of Bihar Prohibition and Excise  
Act.
3.      The main submissions advanced by learned counsel for the  
petitioner are that the petitioner earlier preferred Cr. Misc. No.  
70538 of 2022 for the relief of anticipatory bail in the present  
matter and his prayer was allowed vide order dated 19.12.2022  
passed in the said criminal miscellaneous case, but the petitioner  
could not surrender before the trial Court within the stipulated  
period fixed in the said order and accordingly he could not avail  
the said privilege and so far as the merit of this case is concerned,  
the alleged liquor which is stated to be in huge quantity, was

recovered from an Alto car and a truck which were found near a Government land and petitioner was admittedly not arrested at the spot of recovery and he is a poor labourer and dependent on his daily wages and he has been languishing in jail since 07.02.2023 in the present matter and there is criminal antecedent of one case against him, in which he is on bail and against him the investigation has been completed. Further submission is that the petitioner is neither driver nor owner of the seized truck or Alto car.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail in connection with **Barun P.S. Case No. 277 of 2022** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

Shahnawaz/-

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