

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70916 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- NARPATGANJ District- Araria

SUREN PASWAN @ SURENDRA PASWAN @ SOREN PASWAN Son of
Kaila Paswan @ Kailu Paswan R/V- Koshakapur, Banaili Patti, Ward No. 6,
P.S- Birpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection
with Narpatganj (Basmatia) PS case no. 21 of 2022 instituted
for the offences punishable under Sections 30(a), 41 of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 106.80
liters of illicit Nepali liquor from a vehicle and the petitioner is
stated to have fled away and his name was disclosed by the
person who was arrested from the spot.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 01.09.2022. The



learned counsel for the petitioner has further submitted that only since the petitioner is accused in three other similar types of case, he has been falsely implicated in the present case.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the petitioner has been arrested from the spot, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Judge Excise- II, Araria in connection with Narpatganj (Basmatia) PS case no. 21 of 2021.

(Mohit Kumar Shah, J)

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