

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67196 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- NARPATGANJ District- Araria

SUREN PASWAN @ SURENDRA PASWAN @ SOREN PASWAN, Son of
Kaila Paswan @ Kailu Paswan, Resident of Village - Koshakapur, Banaili
Patti, Ward No.- 6, P.S.- Birpur, Dist.- Supoul

... .. 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.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-02-2023 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Narpatganj
(Basmatia) P.S. Case No. 180 of 2022 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

From a motorcycle, there is alleged recovery of 26.875
litres illicit liquor. Two persons have fled away. The petitioner's
implication is based on recovery of a mobile phone wherein the SIM
issued in the petitioner's name had been inserted.

Learned counsel for the petitioner submits that the
petitioner was not arrested at the place of recovery. There is no
recovery from the petitioner's possession of any illicit liquor. The
petitioner in similar manner has been implicated in three other cases.



He is in custody in connection with this case upon his remand since 01.09.2022. Moreover, investigation is also complete. Recovery is denied and disputed and is stated to be not in accordance with law.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

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 learned Exclusive Special Judge Excise – II, Araria, in connection with Narpatganj (Basmatia) P. S. Case No. 180 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shashank/-

U		T	
---	--	---	--

