

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11343 of 2024

Arising Out of PS. Case No.-343 Year-2021 Thana- BIKRAMGANJ District- Rohtas

Suraj Kumar Paswan, S/o Sunil Kumar, Village- Dharti Dolwa, P.S.-
Wyndhanganj, Dist.- Sonbhadra (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bikramganj P.S. Case
No. 343 of 2021, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3011.04 liters
liquor was recovered from a truck.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concern with the alleged recovery of
liquor. Petitioner is the driver of the seized truck. It is submitted
that petitioner is a businessman and he was completely unaware
that the driver would misuse the vehicle for said illegal purpose.



The petitioner is in custody since 13.07.2023 and has got one criminal antecedent in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.11.2022 passed in Cr. Misc. No. 57020 of 2022. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bikramganj P.S. Case No. 343 of 2021.

(Rudra Prakash Mishra, J)

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