

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31471 of 2025**

Arising Out of PS. Case No.-916 Year-2024 Thana- BARH District- Patna

Sujit Paswan @ Biswajit Kumar, Male, aged about 25 years, S/O Bipin Paswan, R/O Vill.- Burandhichak, P.S.- Barh, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate  
For the Opposite Party : Mr. Umeshanand Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      03-07-2025              Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Barh P.S. Case No. 916 of 2024 dated 01.12.2024 registered for the offences punishable under Sections 30(a) and 45 of the Bihar Prohibition and Excise Act, 2016, Sections 132, 109(1) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, total 41.5 litres of foreign liquor and beer was recovered from the bags of Sunny Paswan and Ajay Kumar who disclosed the names of Golu Kumar, Anil Paswan, Rahul Chaudhary, Koko Kumar and Sujit Paswan @ Viswajit Paswan (petitioner) as fleeing persons from



the place of occurrence and during that course they also started firing on police with intention to kill them. It is also alleged that near R.P.F. Barrack, two fired cartridges were also recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the arrested co-accused persons Sunny Paswan and Ajay Kumar. No incriminating article has been recovered from his possession. The recovery of alleged seized liquor was recovered from the bags of the co-accused Sunny Paswan and Ajay Kumar and the petitioner has no connection with them. The petitioner has no concern with the alleged offence. The firing was made by the other accused persons and not by the petitioner. It is further submitted that the F.I.R. was lodged on 01.12.2024 and the same was sent to the learned court on 03.12.2024 and the delay of two days for sending the F.I.R., in the court, no explanation has been given by the prosecution. The petitioner is a student and he is preparing for competitive examination to live in Patna. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.03.2025.



5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Barh, Patna in connection with Barh P.S. Case No. 916 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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