

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55481 of 2022**

Arising Out of PS. Case No.-387 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Gaya

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Suryadeo Kumar S/o Sri Surendra Sao R/o village- Bagahi Tola Bankepur,  
P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prithivi Raj Singh  
For the Opposite Party/s : Mr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      17-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Excise P.S. Case no. 387 of 2022 instituted for the offence  
under Sections 30(a) & 56(d) of the Bihar Prohibition and  
Excise Act.

Prosecution case relates to recovery of total 16 liters  
illicit country made foreign liquor from petitioner's vehicle.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has got no criminal antecedent. Petitioner has no  
concern with the alleged recovery of illicit liquor or with the



place of occurrence. It is further submitted that the motorcycle in question belongs to the petitioner but he gave his motorcycle to one of the villagers for some essential work which is mentioned in para 7 of the petition. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 5,000/- (Rs. Five Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise P.S. Case no. 387 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Excise Judge No.3, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.



The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five thousand) by the petitioner in the account of the concerned DLSA.

**(Sunil Kumar Panwar, J)**

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