

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5544 of 2025**

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise P.S. District- Supaul

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Sunil Kumar @ Sunil Kumar Yadav Son of Shri Mahendra Yadav Village -  
Chainsingh Patti, Ward no. 8, Po and Ps- Supaul, Dist- supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2      30-01-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Excise  
Case No. 3763 of 2024, arising out of Supaul Prohibition PS  
Case No. 245 of 2024 instituted for the offences under Section  
30(a) of the Bihar Prohibition and Excise Act. Earlier *vide* order  
dated 20-12-2024, passed in Cr. Misc. No. 87496 of 2024,  
anticipatory bail of the petitioner was rejected.

3.      The prosecution case, in short, is that 164.625 liters  
liquor was recovered from car.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Petitioner is neither the owner nor the driver of the vehicle in question. The petitioner is in custody since 02-01-2025 and has got three criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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, clean antecedent of the petitioner and the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 3763 of 2024, arising out of Supaul Prohibition PS Case No. 245 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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