

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15778 of 2025

Arising Out of PS. Case No.-787 Year-2024 Thana- HISUWA District- Nawada

Suraj Kumar S/O Tuntun Saw @ Manoj Kumar R/O Village- Teli Tola
Brahampichas, P.S- Hisua, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-04-2025 Heard Mr. Krishna Deo Raj, learned counsel appearing on behalf of the petitioner and Mr. Rabindra Kumar, learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 3.615 liter of liquor from room of Rajiv Kumar, who had taken the room on rent.

4. It is next submitted that petitioner was not arrested from the spot as nothing was recovered from his conscious possession and the alleged recovery is from a place which does not belong to the petitioner, further he came to be implicated based on



confessional statement of Rajiv Kumar, in police custody which does not have any evidentiary value. It is next submitted that police in mechanical manner implicates without holding any proper investigation. It is next submitted that once an accused is implicated in a case relating to excise the police starts implicating mechanically.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hisua P.S. Case No.787 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has more than five criminal antecedents in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has



five criminal antecedents in that event the provisional anticipatory
bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

shikha/-

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

