

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12314 of 2025

Arising Out of PS. Case No.-525 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Suraj Nath @ Suraj Nath Yadav, S/O Late Chunnilal, Resident of Village-
Khalwa, P.S- Nautan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Manish Chandra Gandhi, learned counsel

appearing on behalf of the petitioner and Mr. Nagendra Prasad,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Siwan Muffasil P.S. Case No. 525 of 2018 registered for
the offence punishable under Section 30 (a) and 41(1) of the
Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 432 litres of illicit
liquor from a Bolero vehicle belonging to the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the present case. Petitioner has no concern with the seized
liquor nor he is involved in trade of liquor in any manner. There
was no apprehension since the case was registered on



12.09.2018 but the owner has not been made accused in this case. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Siwan, in connection with Siwan Muffasil P.S. Case No. 525 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify



the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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