

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20348 of 2025

Arising Out of PS. Case No.-432 Year-2024 Thana- ISLAMPUR District- Nalanda

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1. Suraj Kumar S/o Sanjay Prasad Resident of Village- Khagari (Khagariya)
Bigha, P.S.- Islampur, Distt.- Nalanda
 2. Guddu Kumar S/o Dilip Yadav Resident of Village- Khagari (Khagariya)
Bigha, P.S.- Islampur, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with
Islampur P.S. Case No.-432 of 2024, registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per allegation, 40 litre of country made liquor
has been recovered from a motorcycle bearing Registration No.
BR-02AP-6607 and as per the statement of chowkidar, the
petitioners are alleged to be driving the motorcycle and on
seeing the police, they fled away.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have nothing to do with the alleged offence and the motorcycle does not belong to them and they are no way connected with the alleged transport of illicit liquor.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have one criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Islampur P.S. Case No.-432 of 2024, subject to the conditions as



laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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