

Arising Out of PS. Case No.-101 Year-2025 Thana- Excise P.S. District- Supaul

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... .. Petitioner/s

Versus

## The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      21-05-2025      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Supaul Excise P.S. Case No. 101 of 2025, instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act. He has two criminal antecedent i.e. Simrahi P.S. Case No. 98 of 2024 and Kishanganj P.S. Case No. 273 of 2024.

3. The prosecution case in short is that as per secret information a Car was intercepted by the raiding party and on search total 264 liters of beer and 93.750 litres of foreign liquor was recovered from the said Car. Three persons travelling on the said vehicle were apprehended, who disclosed their names including name of the petitioner.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated and he has no concern with the seized consignment. It has further been submitted that the petitioner has wrongly been made an accused in this case as he was neither the owner of the vehicle nor had any concern with the seized materials. It has been submitted that the petitioner has falsely been implicated in this case merely because he carries antecedents of similar nature and in the present case he is in custody since 02.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and stated that petitioner is habitual offender and has been made accused in similar nature of offence.

6. The petitioner shall be released on bail on depositing a fine of Rs. 10,000/- (Ten thousand) before the Patna High Court Legal Services Committee. A receipt of the same shall be furnished before the learned court below at the time of furnishing bail bond.

7. Considering the aforesaid facts and circumstances and taking into account the nature of seizure list, let the petitioner above named, is directed to be released 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



the learned Exclusive Special Judge, excise, Civil Court, Supaul/In charge Successor Court in connection with Supaul Excise P.S. Case No. 101 of 2025, Misc. Excise Case No. 529 of 2025, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except two above mentioned cases and in case at any stage it is found that the petitioner has concealed his criminal antecedent except two above mentioned cases, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same or in the name of verification.

(V) In view of the antecedents of the petitioner, the



petitioner is directed to appear before the Superintendent of Police, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Vi) If the petitioner is apprehended in a case of similar offence, the prosecution shall be at liberty to approach the learned court below for cancellation of his bail bonds.

**(Sourendra Pandey, J)**

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