

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32505 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- CHAORI District- Bhojpur

Surybansh Rai @ Lillu Rai S/o Binkatesh Rai R/o Village- Dullamchak, P.S.-
Chaori, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list, would go to show that 130.2 liters of foreign liquor is said to have been recovered from a white car, which was found in premises of a house and one of the co-accused, Prince Yadav was apprehended on the spot. The petitioner was identified by the local Chaukidar as being the person who was riding Apache motorcycle and was going ahead of the said seized car.

4. It is submitted by learned counsel for the petitioner that no recovery has been made from the physical or conscious



possession of the petitioner and he was no way connected with the car from which the seizure was made. There is no independent witness to the seizure list showing violation of the mandatory provisions of search and seizure. It is further submitted that the said Prince Yadav, who was apprehended on the spot, has already been granted bail along with one other co-accused by a coordinate Bench of this Court vide order dated 13.05.2025 passed in Cr. Misc. No.31515 of 2025. Petitioner has been languishing in custody since 14.04.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that the petitioner has four criminal antecedents. In response to this, learned counsel for the petitioner submits that petitioner is on bail in all the cases.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Chaori P.S. Case No.51 of 2025, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.



(ii) The one of the bailors will be a family member/close relative.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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