

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35118 of 2025

Arising Out of PS. Case No.-433 Year-2024 Thana- MAJORGANJ District- Sitamarhi

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Suraj Singh @ Suraj Kumar Son of Jogendra Singh @ Yogendra Singh
Resident of Village- Dangraha, P.S.- Majorganj, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Majorganj P.S. Case no.433 of 2024 registered under section 317(5) of B.N.S, 2023 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. A perusal of F.I.R and seizure list would show a total of 18 liters of nepali liquor was recovered from a Hero Honda motorcycle.

4. Learned counsel for the petitioner submits that petitioner is not the owner of the said motorcycle. The name of the petitioner has transpired on the disclosure made by local *chowkidar* who has inimical terms with the petitioner. No recovery has been made from the physical or conscious



possession of the petitioner. He further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the petitioner has three criminal antecedents out of which one is under Excise Act. In response, learned counsel for the petitioner submits he is on bail in the said cases.

6. Considering the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Majorganj P.S. Case no.433 of 2024 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-I, Sitamarhi, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.



(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till investigation is concluded against him.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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