

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37628 of 2025

Arising Out of PS. Case No.-151 Year-2018 Thana- BARAULI District- Gopalganj

Suraj Kumar Sah @ Suraj Kumar S/O Janak Sah R/O Village- Mahamadpur,
Balmi, PS- Motipur, Distt-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases and allegation is of
recovery of 4545 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he came to be implicated
during the course of investigation but then it is submitted that
petitioner was completely unaware about his implication in the
instant case as the police never knocked his door. It is further
submitted that even the truck, which was seized, does not
belong to the petitioner and the owner of the truck, namely,



Rijvan Khan was granted the privilege of anticipatory bail by a learned Coordinate Bench of this Court by an order dated 10.10.2018 passed in Cr. Misc. No. 63566 of 2018.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty 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 Barauli P.S. Case No. 151 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than four cases, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner has antecedent of only four cases in that event the
provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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