

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48035 of 2025

Arising Out of PS. Case No.-388 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Suraj Kumar S/O Late Manager Prasad Resident Of Village- Pandaypur,
Khamouri , P.S.- (G.B. Nagar) Tarwara, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sheo Nandan Prasad, Advocate
	Mr. Rajnish Kumar, Advocate
	Ms. Shweta Barnwal, Advocate
For the Opposite Party/s :	Ms. Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Siwan Muffasil PS Case No. 388 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total
583.2 litres of foreign liquor was recovered from Pick-up
vehicle bearing Registration No. UP60T-9089.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 30.05.2025 and has got three criminal antecedents. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge if not already framed*** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Muffasil PS Case No. 388 of 2025, subject to the following conditions:



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

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

