

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51643 of 2025

Arising Out of PS. Case No.-701 Year-2023 Thana- GARDANIBAG District- Patna

=====

Suraj Kumar S/O Kamlesh Prasad Chandravanshi @ Kamalesh Prasad R/O-
Budha City Hospital Gali Bishnupuri, P.S.- Gardanibagh, Distt-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends arrest in connection with
Gardanibagh P.S. Case No. 701 of 2023 registered for the
offences under Sections 30(a), 34 of Bihar Prohibition and
Excise Act.

3. As per the prosecution case, the police got secret
information that the petitioner was selling illegal liquor from his
home. A raid was conducted and in front of two police personnel
50 liters of country-made liquor was recovered and the seizure
list was prepared.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. Learned counsel further submits is that from



perusal of the FIR, it is evident that the said house from which the said seizure of illicit liquor was made, does not belong to the petitioner and no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 Gardanibagh P.S. Case No. 701 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(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 cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

tusharika/-

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

