

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55198 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- Garahara District- Begusarai

Suraj Kumar S/o Dinesh Mahton @ Dinesh Mahto R/O Village-Thakurichak,
Near Devi Asthan, PS-Garahara, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
62.64 litres of illicit foreign liquor from the banana orchard. The
accused persons managed to flee away from the spot after
seeing the police party.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Further submission is that the alleged recovery has been
made from an open place easily accessible to anyone. Petitioner
has no concern with the seized illicit liquor or the place of
occurrence. Nothing incriminating material has been recovered



from the conscious possession of the petitioner. It is submitted that similarly situated co-accused Dhiraj Kumar @ Dhiraj Mahto has already been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* order dated 02.04.2025 passed in Cr. Misc. No. 11644 of 2025 (Annexure- P/2). Petitioner has two criminal antecedents in which, he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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 Excise Court No. 1, Begusarai in connection with Garhara P.S. Case No. 75 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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