

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55641 of 2025

Arising Out of PS. Case No.-723 Year-2025 Thana- Excise P.S. District- Aurangabad

Satrudhan Kumar @ Lambu S/o Dasharath Saw, R/o Village- Shankarpur, PS-Obra, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No.723 of 2025 instituted under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information the police conducted raid and recovered 45.800 liter illicit country made liquor from the hut of Ramji Rajvanshi @ Bhojpuriya.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the basis of the fact that he is accused in four criminal cases, in which he is on bail. He further submits that petitioner was neither present on the spot nor anyone has



recognized him as fled away person from the spot. Learned counsel submits that the procedure of Section 103 of B.N.S.S. has not been followed by the Police in preparing the seizure list. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel submits that 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 aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court 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 Special Judge, Excise Court No.2, Aurangabad in connection with Excise P.S. Case No.723 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with further following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two



consecutive dates without plausible reason will entail
cancellation of his bail bonds by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidence,
failing which the State shall be at liberty to take steps for
cancellation of the bail bond;

(iii) The petitioner shall desist from committing any
such criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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