

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58172 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- BANJARIA District- East Champaran

Suresh Rai @ Suresh Ray Son of Baijnath Rai R/o Village-Gokhula Tarkulwa
P.S- Banjariya District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Banjariya P.S. Case No. 163 of 2025 instituted under Sections 274 and 275 of the B.N.S. and Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of total 100 liter country made liquor from the sacks near the bank of the river. It is alleged that the petitioner fled away from the spot throwing the sacks after seeing the police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The recovery has been made from the open place which is accessible to the public at large. The petitioner was not present



on the spot and no incriminating article has been recovered from his conscious or constructive possession and only on suspicion with ulterior motive, he has been made accused in this case. The petitioner has no criminal antecedent and he 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 Exclusive Special Excise Court No.1, East Champaran at Motihari in connection with Banjariya P.S. Case No. 163 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

AjayMishra/-

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