

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66836 of 2025

Arising Out of PS. Case No.-534 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Suraj kumar S/o Rambalak Sah R/o Village - Sahbajpur, P.S. - Ahiyapur, Dist.
- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Muzaffarpur Excise P.S. Case No. 534 of 2025 dated
05.05.2025, instituted for the offence punishable under Sections
30(a) and 32(3) of the Bihar Prohibition and Excise Amendment
Act, 2018.

3. The allegation is of recovery of 249 litres foreign
liquor from the Lichi Orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the said illicit liquor has been
recovered from the Lichi Orchard, which does not belong to the
petitioner. Learned counsel further submitted that the petitioner



has been made accused in this case only on the basis of disclosure made by unknown persons. It is further submitted that nothing has been recovered either from the conscious possession or from the house of the petitioner. Lastly, it has been submitted that petitioner has six criminal cases against him of similar nature.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Muzaffarpur Excise P.S. Case No. 534 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Muzaffarpur, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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