

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62082 of 2025**

Arising Out of PS. Case No.-197 Year-2025 Thana- Excise P.S. District-
Madhubani

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Surendra Sah @ Sulindar Sahu @ Surendar Kumar S/O Jangbahadur Sahu
@ Jangbanadar Resident of Village- Hirapatti, P.S- Rajnagar, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail
arises out of Sadar Excise P.S. Case No. 197 of 2025 dated
10.06.2025, disclosing offence under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. According to the prosecution case, 27 liters of
illicit liquor has been recovered from the Wagon R vehicle
bearing registration No. BR 32 H 7829 and the petitioner is
said to have fled away from the spot along with another co-
accused.

4. Learned counsel for the petitioner submits that



the petitioner having clean antecedent is innocent and has not committed any offence. He further submits that the name of the petitioner surfaced in this on the basis of disclosure made by the apprehended accused person, namely, Nitish Kumar who stated that the petitioner and Ramchandra Yadav fled away from the spot. According to the seizure list, it is apparent that the alleged recovery of liquor is made from the Wagon R vehicle. The petitioner has no concern with the vehicle in question and the alleged recovery of liquor. No illicit liquor has been recovered from the conscious possession of the petitioner.

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

6. Regard being had to the submission made by the parties and taking into consideration the fact that the alleged recovery of illicit liquor has been made from the vehicle in question of which petitioner is not the owner and the name of the petitioner surfaced in this case merely on the basis of disclosure made by the apprehended accused person, namely, Nitish Kumar, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of



his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Madhubani in connection with Sadar Excise P.S. Case No. 197 of 2025, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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