

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71945 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- SUPPI District- Sitamarhi

Md. Meraj @ Mirchi, aged about 28 years, Male, S/o Naeem Alam @ Md. Naeem R/o Village- Akhta, Suppi, P.S.- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Suppi PS. Case No. 155 of 2025 dated 08-06-2025, instituted under Section 132 of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of the recovery of 900 ML of *Nepali Saufi* liquor from a hut (mud house).

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that no illicit liquor or any incriminating material was recovered either from the conscious possession of the petitioner or from his house. It is also submitted that the petitioner does not reside in a mud house, as



alleged, but in a one-storey *pucca* house. Thus, no recovery has been made from the house of the petitioner. Further, it is submitted that the seizure list does not mention that the alleged illicit liquor was recovered from the petitioner's house. Lastly, it is submitted that two other criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. I, Sitamarhi, in Suppi PS. Case No. 155 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that



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 (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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