

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71827 of 2025

Arising Out of PS. Case No.-1386 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Suraj Kumar S/o Upendra Sah R/o Village- Madhuban, P.S.- Sadar, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
P.R. No. 02 of 2020 arising out of G.O. Case No. 1386 of 2020
dated 13.12.2020, instituted for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 89.20 liquor
foreign liquor from a tempo bearing Registration No. BR07PA-
3912, which belongs to the petitioner.

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 petitioner is not the driver of
alleged vehicle from which illicit liquor has been recovered. It is



next submitted that petitioner is the owner of seized vehicle but he has given the said vehicle on rental basis for commercial purpose. Lastly, it has been submitted that petitioner has no criminal antecedents.

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 P.R. No. 02 of 2020 arising out of G.O. Case No. 1386 of 2020, 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 Special Judge 1st (Excise Act) Darbhanga, 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)

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