

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76679 of 2025

Arising Out of PS. Case No.-640 Year-2025 Thana- Excise P.S. District- Purnia

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Suraj Kumar Sharma S/O Chandradeo Sharma R/O Vill.- Choti Talab, Ward
No.- 17, P.S- Chautham, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Excise P.S. Case
No. 640 of 2025 instituted for the offences punishable under
Sections 30(A) and 47 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 38.250
liters liquor was recovered from car and the petitioner was
arrested on spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. Charge-sheet has been submitted in this



case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is driver of the vehicle in question and he had no knowledge regarding nature of goods kept in vehicle. The petitioner is in custody since 02.08.2025 and has got five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 640 of 2025:

(i) one of the bailors shall be own/close member of the family of the petitioner.



(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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