

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72521 of 2025

Arising Out of PS. Case No.-515 Year-2025 Thana- AHYAPUR District- Muzaffarpur

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Suraj Kumar @ Suraj Gupta Son of Rameshwar Gupta @ Aklu Sah Resident
of Village- Gola Bandh Road, Ps- town, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection
with Ahiyapur P.S. Case No. 515 of 2025 registered for the
offences punishable under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there is alleged
recovery of 3402.36 liters illicit liquor from the truck bearing
Reg. No. BR-06G-1697. Spy disclosed name of petitioner and
other who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the first information report and he has been falsely implicated
in this case. Petitioner is neither owner nor driver of the seized



vehicle, as stated in para 6 of the petition. Petitioner was not found at the place of occurrence. It is further submitted that petitioner has criminal antecedent of five case and in all the cases he is already on bail. It is further submitted that on account of having criminal antecedent of five cases, petitioner has been falsely implicated in the present case. It is further submitted that source of information has not been divulged in the F.I.R. which questions the authenticity of the prosecution story. No incriminating article has been recovered from possession of the petitioner. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner's name find figure in the F.I.R. and he cannot escape from the allegations levelled in the first information report.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Court Excise-I, Muzaffarpur in connection with Ahiyapur P.S. Case No. 515 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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