

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83052 of 2025

Arising Out of PS. Case No.-113 Year-2019 Thana- KHANPURA District- Samastipur

Suresh Kumar Son of Chandgi Ram Resident of village- Nimoth, PS- Khol
District- Rewari State -Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khanpur P.S. Case No. 113 of 2019, instituted for the offences
punishable under Sections 272, 273 of Indian Penal Code and
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
1051.740 liters of foreign liquor was recovered from Crane.
Petitioner is owner of the seized Crane.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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. Learned counsel for the petitioner submits that petitioner is neither owner nor driver of the seized vehicle but during investigation petitioner's name has transpired as being first owner of the seized vehicle. It is also submitted petitioner was not arrested on spot. The petitioner is in custody since 27.09.2025 and has got clean antecedent. 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 Khanpur P.S. Case No. 113 of 2019, subject to the following conditions:

(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)

krishnakant/-

U		T	
---	--	---	--

