

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89450 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- YADOPUR District- Gopalganj

Suraj Soni S/o- Dhananjay Soni @ Dhannjay Soni @ Dhannjay Prasad
Village- Hariharpur P.S-Jadopur District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Jadopur (Yadopur) P.S. Case No. 153 of 2024 dated 27.09.2024
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of recovery of 18 litres illicit
country made liquor from one plastic bag kept behind the bush
near Bramsthan.

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 petitioner has not been
apprehend at the spot. Learned counsel further submitted that
name of the petitioner has been dragged in this case only on the



basis of secret information received by the police. Nothing has been recovered either from the conscious possession or from the house of the petitioner rather the seized illicit liquor was recovered from the plastic bag kept behind the bush near Bramsthan, which is an open place and accessible to all. Lastly, it has been submitted that petitioner has one criminal case against him.

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 Jadopur (Yadopur) P.S. Case No. 153 of 2024, he/they 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 Additional Sessions Judge-XIII-cum-Special Excise Court No. 1, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C. 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.

(Khatim Reza, J)

Sankalp/-

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