

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4389 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- Daudnagar Excise District- Aurangabad

=====

Suraj Kumar S/O Pradeep Saw R/O Vill.- Mishir Bigha, P.S.- Daudnagar,
Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018 in connection with Daudnagar P.S. Case No.297 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 35 liters of spirit and 16.2 liters of Vodka from two motorcycles.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized motorcycle and he came to be implicated at the instance local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion in the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise No.02, Aurangabad in connection with Daudnagar P.S. Case No.297 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court thereafter shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than one antecedents the provisional anticipatory bail shall not be



confirmed, and if it is found that after verification that petitioner has antecedent of one case only, in that event, provisional anticipatory bail shall be confirmed forthwith.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

