

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3907 of 2026

Arising Out of PS. Case No.-241 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Suraj Kumar @ Suraj Thakur S/o Mosafir Thakur R/o Village - Suja Karma,
P.S - Muffasil, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

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

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 229 of 2025 arising out of Aurangabad Town P.S. Case No.
241 of 2025 instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 28.62
litres of liquor has been recovered from *gumati*.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made
from the *gumati* which is situated in an open place and the same



is accessible to public at large. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 03.12.2025 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 G.R. No. 229 of 2025 arising out of Aurangabad Town P.S. Case No. 241 of 2025, 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.



(III) If the petitioner is found involved in the similar nature of offence in future, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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