

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26177 of 2026

Arising Out of PS. Case No.-138 Year-2026 Thana- MASHRAK District- Saran

Suresh Singh S/o Late Magister Singh, R/o Village -Harpur jan ,P.s.-
Masrhakh,Dist- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mashrakh P.S. Case No.138 of 2026 instituted under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 2
liters country made liquor near the house of petitioner. It is
alleged that petitioner fled away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that the alleged recovery of liquor has
been made outside from the house of petitioner and he has no
concern with the alleged seized liquor. Learned counsel submits
that there is no material against the petitioner. He further
submits that no incriminating article has been recovered from



the conscious possession of petitioner. Learned counsel submits that petitioner is old person aged about 70 years, having one criminal antecedent which does not belong to the Excise Act and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as the old age of the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise-2, Saran at Chapra/ concerned Court in connection with Mashrakh P.S. Case No.138 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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