

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35063 of 2026

Arising Out of PS. Case No.-70 Year-2026 Thana- PARIHAR District- Sitamarhi

Suraj Kumar, Male, aged about 59 years, Son of Nanhu Mandal, Resident of
Village - Barahi, Police Station - Parihar, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks regular bail in connection with
Parihar P.S. Case No. 70 of 2026, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per allegation in the FIR, total 540 liters of
country made Nepali liquor has been recovered from a
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that on the date
of alleged incident, the petitioner was standing near the place of
occurrence as a spectator and his name has been falsely
implicated in this case. He further submits that during



investigation not a single witness has come forward to support the prosecution case. He next submits that the seizure list witnesses are not the independent witnesses. He lastly submits that petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 30.03.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Special Judge Exclusive Excise Court-01, Sitamarhi dated 17.04.2026, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 against the present petitioner. It also appears that petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 30.03.2026 and there is no any independent witness of the seizure list, so considering all the aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner.

7. Accordingly, the prayer for regular bail of the above named petitioner is allowed. Let the petitioner above



named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Excise Court-01, Sitamarhi in connection with Excise Parihar P.S. Case No. 70 of 2026.

(Ramesh Chand Malviya, J)

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