

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36499 of 2026

Arising Out of PS. Case No.-35 Year-2026 Thana- PHULWARIYA District- Gopalganj

Sujit Ram @ Baby Ram @ Babi Son of Janak Ram R/o- Karariya Thakurai,
P.S.- Phulwariya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish Kumar Jha

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2026

Heard the parties

2. The petitioner is apprehending his arrest in connection with Phulwariya P.S. Case No. 35 of 2026 registered for the offences punishable under Section 30(a) of Excise Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 76.64 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that name of petitioner transpired on the basis of suspicion raised by nearby people from where



the recovery of alleged illicit liquor was made by the police. It is submitted that reason for implication is also criminal antecedents as petitioner found involved in six more criminal cases where he is on bail. It is submitted that if merit of this case otherwise appears in favor of the petitioner, merely on the ground of criminal antecedent ordinarily the prayer of bail should not be rejected, in support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Prabhakar Tewari vs. State of Uttar Pradesh and Anr.*** reported in ***(2020) 11 SCC 648.***

5. Mr. Khurshid Anwar, learned APP while opposing the prayer of bail submitted that petitioner is a man of criminal antecedent and he is a habitual offender.

6. Let it be so, as recovery of alleged illicit liquor *prima-facie* not appears to be made from the conscious physical possession of the petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge XIII cum Spl. Excise court no. I, Gopalganj /concerned Court, where the case is pending in connection with Phulwariya P.S. Case No. 35 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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