

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82141 of 2025

Arising Out of PS. Case No.-164 Year-2018 Thana- PATNA CITY CHOWK District- Patna

Suraj Kumar @ Bhaisia @ Suraj Gope S/O Paras Gope R/O Village- Dirapar,
P.S- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special Case No. 4072 of 2018 arising out of Chowk P.S. Case No. 164 of 2018 instituted for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 12.96 litres of whisky and 18 litres of country-made liquor have been recovered from the old house.

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 Beejpuriya House which does not belong to the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 16.09.2025 and has twenty-eight 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, ***after framing of charge, if not already framed***, 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 Special Case No. 4072 of 2018 arising out of Chowk P.S. Case No. 164 of 2018, 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 tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) Petitioner shall not leave the territorial jurisdiction of the learned court below without taking prior permission of the court concerned.

(V) 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)

Alok Verma/-

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