

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26185 of 2023**

Arising Out of PS. Case No.-412 Year-2022 Thana- DANAPUR District- Patna

SUNNY KUMAR Son of Sri Lal Kishun Kumar @ Lal Kishun Rai R/o  
Mohalla- Company Bagh Police Chauki, PS- Danapur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Sharma, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      16-05-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a) and 38(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 2.520 litres of liquor from a scooty.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated as the scooty is registered in his name, it is also submitted that petitioner was busy with the marriage of his sister on the date of occurrence and the scooty was taken by his cousin



brother Rupesh and as such he was completely unaware that the vehicle would be misused in the manner as has been alleged in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Danapur P.S. Case No. 412 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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