

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69429 of 2023**

Arising Out of PS. Case No.-623 Year-2023 Thana- SIKARPUR District- West Champaran

Sonelal Mukhiya @ Sonelal Kumar, son of Lalbabu Mukhiya resident of  
Village- Basantpur P.S.- Sathi Dist- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      01-11-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sikarpur P.S. Case No. 623 of 2023 instituted under Sections 341, 323, 307, 325, 504 of the Indian Penal Code read with Sections 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 50 litres of illicit liquor has been recovered from a sack which was allegedly thrown by the petitioner and other accused persons.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. He has falsely been implicated in this case only on the basis of suspicion. It is further submitted that similarly



situated co-accused, namely, Brijesh Chaurasiya @ Brijesh Kumar @ Brirjesh Kumar @ Brirjesh Chaurasiya has already been granted anticipatory bail by a co-ordinate Bench of this Court, vide order dated 17.10.2023 passed in Cr. Misc. No. 64955 of 2023. Petitioner has two criminal antecedents in which he is on bail.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court where the case is pending in connection with Sikarpur P.S. Case No. 623 of 2023, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

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