

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32911 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- SAKRA District- Muzaffarpur

SONU CHAURASIYA @ SONU KUMAR S/O SHIV KUMAR BHAGAT
R/O VILLAGE - SARMASTPUR, P.S - SAKRA, DISTT. - MUZAFFARPUR
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a),
32(i)(ii), 36 and 41(i) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases.

4. Allegation is of recovery of 895.68 litres of liquor
from a cremation Ghat at Sarmastrapur.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which is accessible to public at large
and does not belong to the petitioner and he came to be



implicated at the instance of the Chawkidar with whom petitioner is on an inimical term. It is further submitted that it absolutely does not stand to reason that if the Chawkidar was aware of the involvement of the petitioner in the occurrence then why the Chawkidar did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

7. 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.25,000/- (Rupees Twenty-five 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 Sakra P.S. Case No. 163 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has



antecedent of more than five cases in that event the present
anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

