

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44612 of 2024

Arising Out of PS. Case No.-1187 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Sunil Ram S/o Late Harilal Ram @ Late Harila Ram R/o Village-
Dhankandha, P.S.-Dhawdadh, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sasaram (Darigaon) P.S. Case No. 1187 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, on receipt of secret information regarding supply of illicit liquor, the police conducted raid and recovered total 180 liters country-made liquor from two motorcycles.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



As the petitioner was not apprehended on spot, nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner was not caught on the spot and his name has surfaced in this case on the basis of the disclosures made by the local *Chouwkidar*. The petitioner has no concern with the alleged occurrence or the seized liquor. The petitioner is not the owner of the alleged motorcycles. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Pradeep Sonkar @ Pradip Kumar Sonkar has been granted regular bail by this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 32024 of 2024.

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

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner as also the petitioner having no criminal antecedent, let 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.10,000/- (Rupees Ten 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 Sasaram (Darigaon) P.S. Case No. 1187 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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