

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46403 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- SAKRA District- Muzaffarpur

Sunil Chaurasiya @ Sunil Bhagat Son of Gulgul Chaurasiya Resident of
Village - Sujawalpur, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Sakra P.S. Case No. 202 of 2024 instituted for the offences
under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. The prosecution case, in short, is that total 45.06
litres of liquor was recovered from motorcycle.

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. Learned counsel further submitted
that petitioner is not the owner of the said motorcycle. Learned
counsel further submitted that the name of the petitioner has
transpired in this case merely on the basis of confessional



statement of the co-accused who was apprehended on the spot. The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted regular bail by this Bench vide order dated 07.05.2024 passed in Cr. Misc. No. 34527 of 2024. The petitioner has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sakra P.S. Case No. 202 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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