

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69116 of 2024

Arising Out of PS. Case No.-582 Year-2023 Thana- GAURICHAK District- Patna

Sonu Raj @ Sonu Kumar Son of Dharamveer Sao Resident of Village-
Gaurichak, PS- Gaurichak, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Gaurichak P.S.
Case No. 582 of 2023, registered under Sections 147, 149, 341,
323, 332, 333,353, 504, 506 and 34 of the Indian Penal Code
read with Sections 30(a) and 37 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 1.125 liters
of liquor was recovered from the possession of co-accused
Bhikhu Bhai and 3.90 gram of Brown Sugar (smack) was
recovered from the possession of co-accused Nikhil Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged



recovery of liquor and smack. Name of the petitioner has transpired on the basis of confessional statement of co-accused Bhikhubhai and the same has got no evidentiary value. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19.03.2024 passed in Cr. Misc. No. 18234 of 2024. There is no compliance of Section 100 of 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, let the petitioner, above named in the event of arrest/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 Court below/concerned Court in connection with Gaurichak P.S. Case No. 582 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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