

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81559 of 2024

Arising Out of PS. Case No.-671 Year-2024 Thana- JAHANABAD District- Jehanabad

Sunny Kumar Son of Sri Sanjay Kumar Resident of Village-Nizamuddinpur,
P.S-Jehanabad, District-Jehanabad-804417

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Karn, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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

ORAL ORDER

3 19-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jehanabad P.S. Case No. 671 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered 47.75 litres of illicit foreign liquor from the house.

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. The name of the petitioner has surfaced in this case on the basis of the statement of the co-accused. He further submits that



nothing incriminating has been recovered from the conscious possession of the petitioner. There is no eye-witness to the alleged occurrence. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Sanjay Kumar has been granted regular bail by this Court vide order dated 18.11.2024 passed in Cr. Misc. No. 80436 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, 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
Jehanabad P.S. Case No. 671 of 2024, subject to the conditions
as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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