

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83508 of 2024

Arising Out of PS. Case No.-518 Year-2024 Thana- SAKRA District- Muzaffarpur

Sonu Chaurasiya @ Sonu Kumar S/O Shiv Kumar Bhagat R/o vill -
Sarmastpur, P.S- Sakra, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Adv.
For the Opposite Party/s : Mr.Surendra Kumar, APP

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

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sakra P.S. Case No. 518 of 2024 registered for the offences
punishable under Sections 274, 275, 61(2), 3(5) of the B.N.S.
and Sections 30(a), 32(i)(ii), 36, 41(i) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, the police -has recovered
1651.680 liters illicit foreign liquor from three vehicles.

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 petitioner was not arrested on the spot and nothing



incriminating has been recovered from the his conscious possession. The alleged recovery of liquor has been made from the seized truck and the Scorpio vehicle and the petitioner has no concern with the seized vehicles. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused persons which was recorded under coercion and the petitioner has no concern with the co-accused persons. Except confessional statement, there is nothing against the petitioner. The petitioner is neither owner nor driver of the seized vehicles. The petitioner has never indulged in sell and purchase of the illicit liquor. The petitioner has two criminal antecedents of the similar nature of offences as has been stated in paragraph no.3 of the present anticipatory bail application. 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 Ranjit Kumar has already been granted regular bail by this Court vide order dated 30.10.2024 passed in Cr. Misc. No. 78360 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 Sakra P.S. Case No. 518 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

rishi/-

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

