

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85856 of 2024

Arising Out of PS. Case No.-559 Year-2023 Thana- GORAUL District- Vaishali

Sunil Sharan S/O Buddha Ram Sharan R/O Village- Nandiya Prabhawati,
Post- Pipar Road, P.S- Bhupalgarh, District- Jodhpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Verma, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner prays for and is
allowed to make necessary correction in the instant anticipatory
bail petition.

3. The petitioner apprehends his arrest in connection
with Goroul P.S. Case No. 559 of 2023 registered for the
offences punishable under Section 414 of the I.P.C. and Sections
30(a), 32(ii) and 41(i) of the Bihar Prohibition and Excise
Amendment Act, 2022.

4. As per prosecution case, the police has recovered
total 4848.72 liters of illicit liquor from the truck bearing Regd.
No. RJ19GB9792.



5. 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 is the owner of the alleged truck and, on the alleged date of occurrence, he had given his truck to the driver and he has misused the same. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has one 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.

6. Learned counsel for the petitioner further submits that the co-accused Suresh Rai @ Surendra Rai has already been granted regular bail by this Court vide order dated 02.04.2024 passed in Cr. Misc. No. 24847 of 2024.

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

8. 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 Goroul P.S. Case No. 559 of 2023, 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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