

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1750 of 2025

Arising Out of PS. Case No.-854 Year-2024 Thana- SONEPUR District- Saran

1. Shatrudhan Rai @ Shatrudhan Rai Rai @ Saturdhan Kumar Son of Yogendra Rai Village -Sambalpur Nawal Tola, P.S. -Sonepur, District -Saran
2. Manish Kumar son of Jauri Rai @ Gauri Shankar Rai village- Mahi Kinara, Ps- Sonepur, dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sonepur P.S. Case No. 854 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered 898.56 liters of illicit foreign liquor from the truck bearing Regd. No. BR01GM-7267.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case due to enmity with the police and dirty village politics. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners as the petitioners were not apprehended at the spot. The names of the petitioners have surfaced in this case on the basis of the disclosures made by the driver of the truck namely Sokhi Rai who has already been granted bail by this Court. The petitioner no.1 has one criminal antecedent whereas petitioner no.2 has two criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners have no concern either with the seized truck or the alleged recovered 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 petitioners further submits that the co-accused Sokhi Rai has been granted regular bail by this Court vide order dated 19.12.2024 passed in Cr. Misc. No. 86774 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let the petitioners, above-



named, in the event of their 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) each 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 Sonapur P.S. Case No. 854 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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