

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16102 of 2025

Arising Out of PS. Case No.-483 Year-2024 Thana- DUMRA District- Sitamarhi

Sunny Kumar S/o Rajaram Patel R/o vill - Mishrauliya Churachowk, P.s.-
Dumra, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 07-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Dumra P.S. Case no.483 of 2024 registered under section
30(a) of the Bihar Prohibition and Excise Amendment Act,
2022.
3. As per the prosecution case, the informant states
that on seeing police personnel two accused tried to mange to
escape but one of them was apprehended at the spot who
disclosed his name as Rajesh Ray. On search, a total of 3.60
liters of nepali liquor is said to have been recovered from the
two seized motorcycles.
4. Learned counsel for the petitioner submits the
petitioner has been falsely implicated in the case. The name of



the petitioner has transpired on the confessional statement of accused Rajesh Rai who was apprehended at the spot made before police which has evidentiary no value. No recovery has been made from physical or conscious possession of the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dumra P.S. Case no.483 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1st, Sitamarhi/Successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S., 2023 and subject to the further condition that the learned Court



below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

Harsh/-

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