

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19856 of 2025

Arising Out of PS. Case No.-1348 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Sonu Kumar Sah @ Sonu Kumar S/o Ram Balak Sah Resident of Village-
Raghopur, PS- Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable u/s 317(5) of the BNS and Sections 30(a) and 41 of the Bihar Prohibition and Excise (Amendment) Act 2022.

3. As per the prosecution case, while the police was on night patrolling duty, on secret information stopped two pick-up vans and upon search, recovered a total of 1400.4 litres foreign liquor from both the pick-up vans. One person was apprehended on spot who disclosed his name as Raj Mangal Kumar and he disclosed the name of this petitioner along with four others.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Petitioner is neither the owner nor was the driver of the seized pick-up vans and has no concern whatsoever with the alleged recovered liquor. It has further been stated that similarly situated co-accused has been granted anticipatory bail vide order dated 26.03.2025 passed in Cr. Misc. No. 85311 of 2024. It has lastly been submitted that the petitioner has got antecedent of two criminal cases out of which one is of similar nature and in both the cases he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering that no incriminating material has been recovered from the possession of the petitioner and the petitioner is neither the owner nor was the driver of the pick-up vans, let the petitioner above named, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending /concerned court, in connection with Ahiyapur P.S. Case No. 1348 of 2024 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure and the conditions that



(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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