

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27520 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- SONEPUR District- Saran

1. Shyambabu Kumar @ Fuleshwar @ Fulan Rai @ Fulan Shyambabu son of Nagina Ray village- Sabalpur Newal Tola, Ps- sonapur, Dist- Saran
2. Lalbabu Kumar @ Lal Saheb @ Lalbabu Rai Son of Nagina Ray village- Sabalpur Newal Tola, Ps- sonapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Adv.

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sonapur P.S. Case No. 114 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police have recovered total 153 liters of illicit country-made liquor, one gas stove and one small gas cylinder from the Gumti (shop) of the co-accused Sudhir Kumar..

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. The petitioners were neither apprehended on spot nor anything incriminating has been recovered from their conscious possession or from their house. The petitioners have two criminal antecedents each as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners 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.

5. Learned counsel for the petitioners further submits that the co-accused Sudhir Kumar has been granted regular bail by this Court vide order dated 24.03.2025 passed in Cr. Misc. No. 17755 of 2025.

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. 114 of 2025, 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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