

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30228 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- NAYAGAON District- Saran

Sonu Kumar Son of Mahendra Ray R/O Vill- Mahmudchak, P.S.- Nayagaon,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Madhumala Kumari, Adv.
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nayagaon P.S. Case No. 257 of 2024 registered for the
offences punishable under Section 30(a) of the Bihar Prohibition
Liquor and Excise Amendment Act, 2022.

3. As per prosecution case, the police has recovered
90 liters of illicit country-made liquor from the bushes. It is
alleged that 5000 liters of raw materials were destroyed at the
spot.

4. 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 was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner has one criminal antecedent in which he is on bail 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.

5. Learned counsel for the petitioner further submits that the co-accused has been granted regular bail by this Court vide order dated 19.03.2025 passed in Cr. Misc. No. 16637 of 2025.

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

7. 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
Nayagaon P.S. Case No. 257 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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