

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33358 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- PARBATTI District- Khagaria

Solu Kumar @ Sonu Kumar son of Chandradev Yadav R/O- Besa PS-
Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Parbatta (Madaiya O.P.) P.S. Case No. 11 of 2025
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered
total 36 liters of illicit foreign liquor from the door of the
petitioner.

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
on the basis of suspicion. He further submits that the place of



occurrence is an open place which is accessible to one and all. 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. He further submits that prima-facie, no case is made out against the petitioner. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. Learned counsel for the petitioner further submits that the co-accused Shivnandan Kumar has been granted regular bail by this Court vide order dated 24.02.2025 passed in Cr. Misc. No. 10206 of 2025.

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

6. 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 Parbatta
(Madaiya O.P.) P.S. Case No. 11 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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