

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32078 of 2025**

Arising Out of PS. Case No.-198 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Sunil Kumar @ Badnasib @ Badnaseeb S/o Upendra Singh R/o Vill.-Kerai,  
Ward No.- 8, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2      13-05-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2.      The petitioner apprehends his arrest in connection  
with Bibhutipur PS Case No. 198 of 2024 instituted for the  
offences under Section 30(a) of the Bihar Prohibition and Excise  
Act.

3.      The prosecution case, in short, is that total 312.00  
litres of foreign liquor was recovered from the field of Akhilesh  
Kumar.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place which is accessible to one and all. The petitioner has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been enlarged on anticipatory bail by this Court vide order dated 25-10-2024, passed in Cr. Misc. No. 63778 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, 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 Bibhutipur PS Case No. 198 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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