

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33203 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- SONEPUR District- Saran

Sunny Kumar @ Sunny Rai S/O Kameshwar Rai Village- Nazar Mira, Rahar
Diara, P.S.- Sonapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel appearing on behalf of

the petitioner and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioner is named in the

F.I.R. and apprehended his arrest in connection with

Sonapur P.S. Case No. 106 of 2025 registered for the

offences punishable under Section 30 (a) of the Bihar

Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 24.48 litres of IMFL/country



made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was made from bamboo clumps, which is an open place and easily accessible by general public, where name of petitioner was disclosed by unknown co-villager. It is submitted that in view of aforesaid, recovery of illicit liquor cannot be said to be made from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra/concerned Trial Court where the case is pending in connection with Sonapur P.S. Case No. 106 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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