

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54862 of 2025

Arising Out of PS. Case No.-401 Year-2025 Thana- SONEPUR District- Saran

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1. Sunni Kumar S/O Ramesh Rai R/O Village- Sabalpur Mahikinara - Nayaka Basinda, P.S. Sonpur, District- Saran at Chapra
 2. Gautam Kumar S/O Chandeshwar Rai R/O Vill.- Rustampur- Raghopur, P.S.- Rustampur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in connection with Sonpur P.S. Case No. 401 of 2025, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 855.36 liters liquor was recovered from truck.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no concern with the



alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are neither owner nor driver of the truck in question. Name of the petitioners have transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. Learned counsel for the petitioners, therefore, contends that *prima-facie*, no case is made out against the petitioners. The petitioners have got no criminal antecedent. Learned counsel for the petitioners further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 19.06.2025 passed in Cr. Misc. No. 38111 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/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. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonpur P.S. Case No.



401 of 2025, subject to the conditions as laid down under
Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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