

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87969 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- Excise P.S. District- Saran

Sonu Srivastava S/o- Late Shyam Sundar Prasad Village - Roopganj, P.s.
Chapra town, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and Mr.
Manoj Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Excise Case No. 163 of 2024 instituted for the offence under Sections 87 of the BNS and 30(a), (32), (3) of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the living room of the petitioner, altogether 69 liters of foreign made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this case. It is also submitted that though the house is of petitioner but the petitioner does not reside there as he has to go here and there for his livelihood. From persual of the seizure list, it transpires that the petitioner was not present at the time of seizure.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioner and submitted that the petitioner is having criminal antecedent of two cases of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge **the petitioner on bail with a condition that the petitioner shall not indulge in similar nature of offences in future**. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise P.S. Case No. 163 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Special Judge Excise Saran at Chapra subject to the conditions as laid down under section 438(2) of



the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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