

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88594 of 2025

Arising Out of PS. Case No.-397 Year-2025 Thana- BHORE District- Gopalganj

Sonu Kumar @ Budhua S/o- Nandlal Sah R/O- Kuwadidih, P.S.- Bhore,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shyamli Kumari, Adv.
Ms. Pragya, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard Ms. Pragya learned counsel for the petitioner
and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bhore P.S. Case No. 397 of 2025 for the offence punishable under sections 317(5), 23 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 04.08.2025 by the informant, Prashant Kumar.

3. There has been recovery of altogether 81 litres of illicit country made liquor from two motorcycles. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery of the illicit liquor is said to have been made from two motorcycles which do not belong to the petitioner. It has further been submitted that nothing incriminating has been recovered



from the constructive possession of the petitioner and he has got no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that the recovery has neither been made from the constructive possession of the petitioner nor the motorcycles, from which the recovery is said to have been made, belong to this petitioner and the petitioner has got clean antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge-XIII cum Special Excise Court-I, Gopalganj in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;



(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their/his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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