

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54960 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- MAKER District- Saran

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1. Chandan Sahni Son Of Late Singeshwar Sahni @ Tiggan Sahni Resident Of Village - Murahiya, P.S. - Maker, District - Saran At Chapra.
 2. Guddu Kumar Son Of Late Singeshwar Sahni @ Tiggan Sashni Resident Of Village - Murahiya, P.S. - Maker, District - Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending his arrest in connection with Maker P.S. Case No.100 of 2023 dated 04.06.2023, lodged under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the F.I.R. has been lodged against 3 named accused persons including the present petitioners. It has been alleged in the F.I.R. that acting upon secret information police started vehicle checking and during the search 80 liter countrymade liquor was recovered from a car from which the accused persons fled away.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence. He further submits that there are two criminal antecedents of the

petitioner no.1 and there are three criminal antecedents of the petitioner no.2.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances and particularly in the light of Section 76(2) of the Bihar Prohibition and Excise Act, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Maker P.S. Case No.100 of 2023 to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra.

7. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

8. However, the learned Court below shall consider the prayers for regular bail of the petitioners, if the petitioners surrender within a period of four weeks.

9. The present order shall not cause any prejudice to the petitioners.

(Dr. Anshuman, J.)

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