

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80867 of 2023

Arising Out of PS. Case No.-1091 Year-2023 Thana- Excise P.S. District- Muzaffarpur

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Sujeet Sahni @ Sujeet Kumar Sahni Son Of Chulahai Sahani R/O Village-
Shekhpur Dhab, P.S.- Ahiyapur, Dist.- Muzaffarpur, Permanent R/O
Khanjahachak, P.S.- Lalganj, Dist.- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Muzaffarpur Excise P.S. Case No. 1091 of 2023 registered for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act-2016 (Amendment Act 2018/22), pending in the Court of learned Exclusive Special Judge, Excise, Court No.-II, Muzaffarpur.

3. As per the prosecution case, the allegation is of recovery of total 123.480 liters of foreign liquor from the motorcycle and the petitioner along with other co-accused person succeeded in fleeing away from the spot.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the motorcycle from which the recovery was made does not belong to the petitioner. He further submits that there is no any independent witness to the seizure list. The petitioner has four criminal antecedents of similar nature as mentioned in para-3 of this application.

5. Learned APP for the State oppose the prayer for anticipatory bail and submits that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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