

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75636 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- PANDAUL District- Madhubani

Umesh Saday Son of Shukal Saday Resident of village - Meghol Teliya,
Police Station - Pandaul, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Pandaul P.S. Case No. 156 of 2024, lodged on 26.06.2024, under Sections 30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending before the Court of Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 30 litres of illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that the antecedent of the petitioner is not clean and there are one criminal case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect may be taken into consideration while considering the bail application of the petitioner .

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the learned Court below within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

Aman Kumar/-

(Dr. Anshuman, J)

U		T	
---	--	---	--

