

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83366 of 2023

Arising Out of PS. Case No.-135 Year-2013 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Sankar Chaudhary Son Of Meghnath Chaudhary Resident Of Sobhitpur, P.S.-
Janta Bazar, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in (Uttapad
Thana Kand) Excise Police Station Saran Case No. 135 of 2013
registered for the offences punishable under Sections 47(a) and
(b) of the Excise Act, pending in the Court of learned Special
Judge, First, Excise, Saran.

3. As per the FIR, the informant has seized 2000
liter illegal 'susaw' and 100 liter country made liquor from the
place of occurrence and, on seeing the raiding party, the
petitioner along with other co-accused persons fled away from
the place of occurrence.

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 no incriminating article is said to have been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is the member of a syndicate, which is involved in manufacturing of illegal liquor. Hence, he does not deserve privilege of anticipatory bail.

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

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent and the petitioner is aged about 65 years.

(Anjani Kumar Sharan, J)

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