

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2361 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Sanjay Chaudhary @ Baiju Kumar S/O Rohan Chaudhary @ Rohit
Chaudhary R/O Village- Khanda, P.S- Sasaram (Muffasil), Dist.- Rohtas
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Babu Nandan Prasad, learned counsel for
the petitioner and Mr. Parmanand Prasad, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sasaram (Muffasil) P.S. Case No. 446 of 2024 dated 24.10.2024 registered for the offences punishable under sections 30(d), 30(e) and 32(1) of the Bihar Prohibition & Excise Act (in short 'Excise Act').

3. As per prosecution story, acting upon a secret information, the informant alongwith other police personnel raided the house of this petitioner on 24.10.2024 and recovered materials used for packing spurious English liquor.

4. The main submissions advanced by learned counsel appearing for the petitioner are that the FIR has been registered against the petitioner for the offences under sections 30(d), 30(e) and 32(1) of the Excise Act but these offences do not attract in this



matter as according to the prosecution’s allegation, only printed stickers, out of which some having the name of Royal Stag Whiskey and some empty packets alongwith twelve lids are alleged to have been recovered from the house of this petitioner and keeping these materials is not a punishable offence under the Excise Act.

5. On the other hand, learned APP has vehemently opposed the bail prayer of the petitioner and submits that the petitioner has remained accused in six other cases lodged under the Excise Act which shows his criminal background of the similar nature of offences and further, the recovery of the alleged materials clearly attracts the provisions of section 30(d) of the Excise Act and further, the case is under investigation.

6. Considering the seriousness of the allegation appearing against this petitioner from the FIR and also taking into account the petitioner’s long criminal history of the similar nature of offences and the case is under investigation, in my opinion, it is not a fit case for grant of anticipatory bail to the petitioner. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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