

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13334 of 2025

Arising Out of PS. Case No.-447 Year-2024 Thana- Excise P.S. District- Begusarai

Sitaram Chaudhary @ Sitaram Singh S/O Gaya Chaudhari R/O Village-
Mananpur, P.S- Bhagwanpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending arrest in connection with Excise P.S. Case No. 447 of 2024, lodged on 22.12.2024, under Sections 30(a) & 32(III) of the Bihar Prohibition & Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 2079.00 litres of illicit 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 further submits that the petitioner is named in the FIR, but nothing has been recovered from the possession of the petitioner. Counsel further submits that the petitioner has falsely been implicated in this case. Counsel also submits that the criminal antecedent of the petitioner is not clean, there are two criminal cases pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that when the raiding party arrived at the scene, the accused persons started fleeing from the place of occurrence, raising an alarm and calling out each other's names. Counsel further submits that the criminal antecedents of the petitioner is not clean and the petitioner is also named in the FIR.

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 Trial Court 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.

(Dr. Anshuman, J)

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