

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19453 of 2025

Arising Out of PS. Case No.-44 Year-2011 Thana- Excise P.S. District- Gaya

Saket Kumar @ Sanket Kumar Son of Upendra Prasad Village -Sao Khurd
(Sao Kala) Bangla par PS- Amas Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No.44 of 2011, for the offence punishable under Sections 47(a) and (f) of the Bihar Excise Act.

3. As per the prosecution, the total recovery of 280 kg of mahua flower 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 also submits that petitioner was not present on the spot. He further submits that criminal antecedent of the petitioner is not clean as there are two criminal cases pending against him in which in both cases, he is on bail. Nothing has been recovered



from conscious possession of the petitioner. He further submits that he is an staff in a shop where the said mahua flower has been recovered.

5. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are two cases pending against him and this aspect must be taken into consideration.

7. 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.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

Prakashmani/-

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

