

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16375 of 2025

Arising Out of PS. Case No.-401 Year-2024 Thana- CHIRAIYA District- East Champaran

Aklu Sahani Son of Umed Sahani Resident of Village - Lal Begiya, P.S. -
Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends arrest in connection with Chiraiya P.S. Case No. 401 of 2024 registered under Sections 317(5) of B.N.S. and Sections 30(a), 41(1) of the Bihar Prohibition and Excise (Amendment) Act.

3. The prosecution case in short, is that, 250 litres of liquor was recovered from a vehicle (jhugar vehicle).

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that vehicle in question does not belong to the petitioner. It is further submitted that apprehended co-accused person disclosed the name of the petitioner. The petitioner has got five criminal antecedents.



5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner bears five criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as also the criminal antecedents of the petitioner, in my view, this is not a fit case for grant of anticipatory bail, hence, this court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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