

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21226 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- PRATAPGANJ District- Supaul

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Amlesh Sardar Son of Laxmi Sardar Resident of Village - Shripur, Ward No. 12, P.S. - Pratap Nagar, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shatrughna Pandey, Adv.

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Pratapganj P.S. Case No.116 of 2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, the total recovery of 60 litres of liquor has been made from a house, 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 and nothing has been recovered from conscious possession of the petitioner. Counsel further submits that criminal antecedent of



the petitioner is not clean as there are two cases pending against him in which in all the cases, he is on bail.

5. Counsel further submits that the 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, relating to Excise Act, 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, considering ingredients of Excise Act, without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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