IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76245 of 2026

CNR No. BRHC011069382026

Arising Out of PS. Case No.-239 Year-2026 Thana- SAHAJITPUR District- Saran

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Satyendra Singh Son of Late Baleshwar Singh Resident of Village and P.O.- Maricha, P.S.- Sahajitpur, District - Saran at Chapra 841411.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Komal Gupta, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner apprehends arrest in connection with Sahajitpur P.S. Case No. 239 of 2026 lodged on 12.09.2026, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the court of 2nd Exclusive Special Excise Judge, Saran at Chapra.

3. As per the prosecution case, FIR has been lodged against the sole petitioner. Total recovery of 14.835 litres of foreign liquor has been made, which is the subject matter of the present case.

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4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from his old shop. Counsel submits that petitioner was not apprehended from the place of occurrence and his name has figured in this case only due to suspicion. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are five cases pending against him and in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has five criminal antecedents out of which, one case is registered under the Excise Act and this aspect must be taken into consideration.

6. As such, in the present facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. However, liberty is granted to the petitioner that if he surrenders before the concerned Trial Court within a period of four weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on

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the same day absolutely and strictly according to the law, without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass order on the merits of the case.

(Dr. Anshuman, J)

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