

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54647 of 2023

Arising Out of PS. Case No.-354 Year-2023 Thana- BUXAR District- Buxar

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PINTU YADAV, Male, aged about 36 years, S/O RAM CHANDRA SINGH
YADAV R/O VILLAGE- CHOTKI SARIMPUR, P.S- BUXAR(TOWN),
DISTT.- BUXAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Buxar (Town) P.S. Case No. 354 of 2023 dated 03.07.2023
registered for the offence(s) punishable under Section(s) 30(a)
of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has been
dragged in this case mainly on account of his previous
antecedents as well as on the basis of secret information and as
per prosecution's allegation at the place of recovery, one
mobile phone was recovered along with the alleged country
made wine and the SIM card in the said mobile phone was not



in the name of the petitioner which is sufficient to show his innocence as well as his non-involvement in the alleged crime of smuggling of wine and he had no concern with the alleged seized liquor and mobile phone.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides. Petitioner is named in the FIR and against him there are criminal antecedents of three cases which were lodged under the offences of the Bihar Prohibition and Excise Act and the said fact goes against him and his role in the alleged crime of smuggling of country-made wine is yet to be investigated and his prayer for anticipatory bail is barred by Section 76(2) of the Bihar Prohibition and Excise Act. Considering the nature of the allegation appearing against the petitioner, in my view petitioner does not deserve to the privilege of anticipatory bail. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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