

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40969 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- CHHAURADANO District- East
Champaran

Prem Shankar Yadav Son of Raghuvir Rai @ Raghuvir Yadav R/O Vill.-
Kudarkat, P.S.- Chhauradano, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Ms.Pushpa Sinha

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in
connection with Chhauradano P.S. Case No. 72 of 2024
instituted for the offences under Sections 30(a) and 41(i) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 191.4
liters of Nepali liquor was recovered near Tiyar river.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. The name of the petitioner has come into
light on the basis of confessional statement of apprehended co-
accused. Petitioner has no concern with the alleged recovery of



liquor. No incriminating article has been recovered from the conscious possession of the petitioner. Moreover, petitioner has four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the FIR and having four criminal antecedents of similar nature. Hence, the petitioner does not deserve anticipatory bail. The co-accused has granted regular bail by this Court vide order dated 13.05.2024 passed in Cr. Misc. No. 36293 of 2024.

6. Considering the aforesaid facts and circumstances of the case and the criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected.

8. However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the Court below on its own merit without being prejudiced by this order of rejection.

(Rudra Prakash Mishra, J)

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