

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50512 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- JAYNAGAR District- Madhubani

Shatrudhan Yadav @ Shatrughn Yadav S/o- Ramnath Yadav village- Yogiya
Ps- Ladaniya Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jaynagar P.S Case No. 30 of 2024 instituted for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, total 855 litre illicit liquor has been recovered from the vehicle and 225 litre illicit liquor has been recovered from the bamboo orchard.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of



the petitioner. Petitioners has got two criminal antecedents as stated in para 3 of the bail petition.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submitted that anticipatory bail is barred by the provision of Section 76(2) of the Bihar Prohibition and Excise Act.

6. From perusal of the F.I.R., impugned order and case diary, it appears that petitioner is named in FIR and it has two criminal antecedents of similar nature of offence.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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