

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70890 of 2024**

Arising Out of PS. Case No.-296 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Mahesh Yadav Son of Harendra Yadav @ Birendra Yadav Village- Kala Matihaniya, P.S.- Bishambharpur, District- Gopalganj, Bihar. Presently R/at Vill.- Rampur Bangara, P.S.- Tarya Sujan, Dist.- Kushinagar, U.P.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      22-10-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kuchaikote P.S. Case No.296 of 2024, registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Altogether 233 liters of country made liquor is said to have been recovered from a tempo.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He has been falsely



implicated in this case at the instance of his enemy. He was not apprehended on the spot and his name transpired in the case only on the basis of statement of apprehended co-accused. Petitioner has four criminal antecedents in similar nature of offence.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering that the petitioner has four criminal antecedents in similar nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

**(Anjani Kumar Sharan, J)**

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