

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9040 of 2025

Arising Out of PS. Case No.-1126 Year-2024 Thana- ALAMGANJ District- Patna

Munilal @ Gourav Kumar Yadav Son of Gauri Rai Resident of village-
idgahpar Khara Kuan, Makhanpur, P.O.- Guljarbagh, P.S.- Alamganj, Distt.-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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

ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Alamganj P.S. Case No. 1126 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case in short is that total 25.02
litres of foreign liquor was recovered from bag.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
No incriminating article has been recovered from either
conscious or physical possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor.



Petitioner is said to have fled away from the spot and his name is disclosed by co-accused, Vikash Kumar, who has been granted regular bail by this Court *vide* order dated 29-01-2025, passed in Cr. Misc. No. 3788 of 2025. Petitioner bears five criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and contended that petitioner bears five criminal antecedents, that too of similar nature, hence, he does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties, taking into account five criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer of anticipatory bail is, accordingly, ***rejected***.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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