

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18467 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Sonu Yadav @ Sonu Kumar Yadav Son of Late Rajendra Yadav Resident of
village - Rajpur, P.S.- Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Anish Chandra, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-06-2025 Heard Learned counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Raghunathpur P.S. Case No. 123 of 2024 lodged on 12.05.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending in the Court of Exclusive Special Excise Court No.II, Siwan.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. Total recovery of 86 litres of *desi mahua* liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious



possession of the petitioner and the said recovery has been made from the embankment of a river which is a public place. Counsel submits that the petitioner has unnecessarily been made accused in this case at the instance of police only and only due to the reason that the criminal antecedent of the petitioner is not clean as there are eight cases pending against him and in all the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there are eight cases pending against him and out of them, six cases are registered under Bihar Prohibition and Excise Act and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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