

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19408 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- LAUKAHA District- Madhubani

Maheshwar Yadav @ Mahesh Prasad Yadav S/o Kishun Yadav R/o Village-
Pathrahi, P.S.- Laukaha, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present Criminal Miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending arrest in connection with G.R. No. 58 of 2025, arising out of Laukaha P.S. Case No. 09 of 2025, lodged on 28.01.2025, under Sections 274 & 275 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 108 litres of illicit 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 further submits that recovery has been made from the back side of the petitioner's house, which is an open place. Counsel further submits that the petitioner is not apprehended from the spot and nothing has been recovered from the possession of the petitioner. It is also submitted that the petitioner does not have a clean criminal antecedents, as three criminal cases are pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedents of the petitioner are not clean.

6. In the present facts and circumstances of the case, and considering that the recovery has been made from the backside of the petitioner's house, as well as the fact that the petitioner does not have clean antecedents, 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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