

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21212 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- MALAHI District- East Champaran

Hari Shankar Yadav @ Harishankar Yadav S/O Hira Yadav R/O Vill.- Chatiya
Kanta, P.S.- Malahi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Malahi P.S. Case No. 166 of 2024, registered on 26.12.2024 for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 384.660 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 nothing has been recovered from the possession of the petitioner, and the petitioner's name has figured in this case solely based on the disclosure made by the



persons present at the place of occurrence. Counsel also submits that the criminal antecedent of the petitioner is not clean, there are two criminal case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner does not have a clean criminal antecedent. Counsel further submits that the petitioner is involved in cases under the Excise Act, and in the present case, his name has figured in a case where huge recovery of wine has been made.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby **rejected**.

(Dr. Anshuman, J.)

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