

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26899 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- RAJAOLI District- Nawada

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Sandeep Kumar S/o Lalo Yadav R/o Village- Bhaur, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Rajauli P.S. Case No. 40 of 2025 lodged on 21.01.2025, U/s 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 & section 111 of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons (including the present petitioner) and five unknown persons. Total recovery of 750 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 the alleged recovery of liquor has been made from five motorcycles and petitioner is not the owner, but it has been alleged that petitioner fled away with the motorcycle. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are nine cases pending against him in which in eight cases, he is on bail and in one case, he is persuading for 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 nine cases pending against him in which four cases are related with 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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