

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28842 of 2025

Arising Out of PS. Case No.-610 Year-2024 Thana- RAJAOLI District- Nawada

Munna Yadav, S/o Umesh Yadav, R/o Village- Pahavachak, P.S.- Rajauli,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 01-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Rajauli P.S. Case No. 610 of 2024 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 315 liters illicit
country made Mahua liquor was recovered from the sacks and
one motorcycle left behind by three accused persons including
the petitioner near the village Khajuri Bigha who fled away after
seeing the police party.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case due to his past criminal
antecedents. He further submits that the alleged recovery of



illicit liquor has not been made from conscious possession of the petitioner. Petitioner has nine criminal antecedents, in which, he is on bail in all the cases and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed and submitted that the recovery of huge quantity of illicit liquor and the petitioner is a habitual criminal having nine criminal antecedents of similar nature, therefore, petitioner does not deserve the privilege of anticipatory bail. It is further submitted that petitioner is not entitled to get the privilege of anticipatory bail in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar reported in 2019(2) P.L.J.R. 1089 (F.B.)**.

6. Considering the submissions of learned counsel for the parties and the fact that the petitioner is a habitual criminal having nine criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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