

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30442 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- SUPAUL District- Supaul

Mithun Yadav @ Mithilesh Kumar S/O Yogendra Yadav R/O Village- Hardi
Ward No. 09, P.S- Supaul, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Supaul P.S. Case No. 112 of 2025, dated 09.03.2025,
lodged under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per the prosecution, total 5.5 liters of country
made liquor was recovered from the shop of the petitioner
which is the subject matter of the present case.

4. Counsel submits that the petitioner is innocent and
has committed no offence. He submits that the recovery has not
been made from the possession of the petitioner, rather the said
recovery was made from another co-accused persons and the
petitioner has no concern with the said recovery or with the co-
accused persons. He submits that the name of petitioner has



come by virtue of confessional statement of another co-accused.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him which is registered under 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.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering that whether ingredients of excise act is made out against the petitioner or not, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

Sudhanshu/-

U		T	
---	--	---	--

