

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41398 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- Lakho District- Begusarai

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Amarjit Yadav @ Amarjit Kumar S/O Late Indradeo Yadav R/O Village-
Musechak, PS- Ballia, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with

Lakho P.S. Case No. 13 of 2025, registered under Sections

30(a), 32(c) and 41(1)(2) of the Bihar Prohibition and Excise

Act.

3. The prosecution case, in short, is that, 260.250

liters liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in the

present case. The petitioner has got no concern with the alleged

recovery of liquor. Learned counsel for the petitioner also

submits that the petitioner was not present at the place of



occurrence. It is next submitted that the petitioner is neither owner nor driver of the truck in question. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person as the petitioner was receiver of the seized items and the same has got no evidentiary value. The petitioner has got seven criminal antecedents in which he is on bail in five cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 19754 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that name of the petitioner has transpired as receiver of the seized article and the petitioner bears seven criminal antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular



bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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