

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51035 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- Bikramganj Excise District- Rohtas

Harendra Kumar @ Guddu Yadav Son of Rajendra Singh Resident of village -
Ramnath Bigha, P.S.- Nasariganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Bikramganj Excise P.S. Case No.385 of 2025, for the offences punishable under Sections 30(a)/62 of the Bihar Prohibition and Excise Act pending before the court of Exclusive Special Judge, Court No.1, Rohtas at Sasaram.

3. As per the prosecution, the total recovery of 86.25 litres of illicit liquor has been made from a *Samudaik Bhawan* 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 also submits that the said recovery has not been made from



conscious possession of the petitioner. Counsel further submits that criminal antecedent of the petitioner is not clean as there is one case relating to Excise Act, pending against him in which he is on bail. He further submits that the said recovery has been made from Samudaik Bhawan and petitioner has nothing to do with the said place.

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 is one case relating to Excise Act, pending against him 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. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

Prakashmani/-

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

