

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50193 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- KALYANPUR District- East Champaran

RAJU YADAV S/O MENAR RAY @ RAJKISHORE RAY R/O VILL.-
SISWA KHARAR, P.S.- KALYANPUR, DIST.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Suraj Kumar Tiwari, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, total 100 litres illicit country made liquor was recovered out of which 35 litres illicit country made liquor was recovered from the house of this petitioner.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of this petitioner and he is in no way connected with the aforesaid recovery.



5. On the other hand, learned APP appearing for the State submits that petitioner is not entitled to the privilege of anticipatory bail in view of decision of the Full Bench of this Hon'ble 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.)*. Petitioner has got one criminal antecedent of similar nature.

6. Considering the aforesaid decision of this Court and fact that petitioner has got one criminal antecedent of similar nature, the prayer for grant of anticipatory bail to this petitioner is rejected.

(Prabhat Kumar Singh, J)

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