

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55705 of 2025

Arising Out of PS. Case No.-10 Year-2023 Thana- GOPALPUR District- Gopalganj

Sujit Kumar Yadav, S/O Ramakant Yadav, R/O Village- Thakurai Bairiya,
P.S.- Uchakaganv, Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 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 Gopalpur P.S. Case No. 10 of 2023 instituted under Section
30(a) of Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, 180 liters illicit foreign
liquor was recovered from the Tata Nexon car of the petitioner
which was without registration number and three accused
persons were apprehended who tried to flee away.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case being the owner of the seized car.
He further submits that the alleged recovery of illicit liquor has
not been made from conscious possession of the petitioner.
Further submission is that the vehicle in question was lent to a



co-villager Bablu Singh for travelling to Gorakhpur. Petitioner has no concern with the seized liquor. Petitioner has four 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 petitioner is involved in the illicit liquor business having four 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 four criminal antecedents of similar nature and recovery of huge quantity from the car of the petitioner, 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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