

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74056 of 2024

Arising Out of PS. Case No.-276 Year-2022 Thana- NAWANAGAR District- Buxar

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Loha Yadav @ Abhay Singh Yadav @ Loha Singh @ Abhay @ Loha Yadav
Singh Son of Gupteshwar Yadav R/O Vill.- Masahariya, P.S.- Murar, Dist.-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate.

For the Opposite Party/s : Mr. Parmanand Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 05-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Nawanagar P.S. Case No.276 of 2022, registered for the
offences punishable under Sections 30(a), 30(c), 30(d), 33, 34,
36, 41(1)(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
216 litres spirit, 50 litres sanitizer, 75.180 litres foreign liquor,
1500 piece small size plastic bottle and other materials to be
used for preparing illegal liquor. Four motorcycle were also
sized and eight accused persons were arrested on the spot who
disclosed that they are in business of manufacturing illicit
foreign liquor and supplying the same.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case on the basis of



confessional statement of co-accused Kanhaiya Kumar. He further submits that no recovery has been made from the conscious possession of the petitioner and the alleged recovery is near the Kav River, which is an open place. Petitioner is neither the owner of the recovered vehicle nor the driver of the said vehicle. Learned counsel submits that petitioner is involved in 23 criminal cases and out of which, he has been acquitted in 4 cases.

5. Learned A.P.P. vehemently opposes the prayer for regular bail of the petitioner and submits that there is serious allegation against the petitioner and he is involved in 23 heinous crime and is a habitual criminal.

6. Considering that the petitioner is a habitual criminal having 23 criminal antecedents, nature of allegation against the petitioner and as per the report of the trial court, eight witnesses have already been examined in the present case, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for bail of the petitioner is rejected.

(Sunil Dutta Mishra, J)

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