

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71449 of 2025

Arising Out of PS. Case No.-590 Year-2025 Thana- FATEHPUR District- Gaya

Upendra Kumar @ Upendra Yadav Son of Lalu Yadav @ Lallu Yadav R/o
Village - Bagai, P.S.- Gurpa, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate
For the State : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-10-2025 Heard Mr. Onkar Nath, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Fatehpur P.S. Case No. 590 of 2025 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 14.08.2025 by the informant, Vijay Yadav.

3. As per the prosecution story, the Police on secret information intercepted four motorcycles and there is recovery/seizure of 700 liters country made mahua, the Chowkidar named him. This led to the implication of the petitioner in the present case.

4. Learned counsel for the petitioner submits that only because the Chowkidar has named, he got implicated. Further,



he does not own any of the vehicle.

5. Learned APP opposes the prayer and has taken this Court to paragraph no.3 to show that he has six criminal antecedents of the same nature, one of which has been lodged in the year 2025 itself.

6. Though the petitioner do not own the vehicle, the criminal antecedent in paragraph no.3 of the petition prohibits this Court from granting relief to him. The anticipatory bail application stands rejected.

7. However, if the petitioner surrenders within a period of four weeks, files bail application, the court concerned shall consider the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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