

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85559 of 2025

Arising Out of PS. Case No.-204 Year-2025 Thana- PAROO District- Muzaffarpur

Mithilesh Kumar Yadav @ Mithalesh Kumar S/O Late Dinanath Ray @
Dinanath Prasad Yadav R/O Vill.- Chhapara, P.s- Paroo. District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoon Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Paroo Police Station Case No. 204 of 2025,
disclosing offences under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act, 2016, and Sections 25(1-b)a, 26
and 35 of the Arms Act.

3. As per the prosecution case, on 23.04.2025 at
about 23:30 hours, acting on secret information regarding illicit
liquor trade in village Jagdishpur, the police party conducted a
raid near the house of Ravindra Kumar Yadav. During the raid,
three persons in a black Maruti car attempted to flee, of whom
two—Ravindra Kumar Yadav and Vikash Kumar—were
apprehended, while one Mithilesh Kumar (petitioner) managed



to escape. Upon search of the vehicle bearing registration No. BR-06T-6160 18 liters of foreign liquor was recovered, and a seizure list was prepared. It is further alleged that a search of the house of Ravindra Kumar Yadav resulted in recovery of two unlicensed firearms from a wooden almirah, for which no valid documents were produced, whereafter seizure lists were prepared and the accused was taken to the police station for further investigation.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to suspicion and village rivalry. No recovery was made from the petitioner, and the alleged liquor and illegal arms were recovered from a vehicle and premises not belonging to him. The petitioner has no connection with the seized liquor, vehicle, weapons, or co-accused persons and has been implicated solely on the basis of confessional statements. The seizure is defective and is not supported by independent witnesses. Consequently, no offence under the Bihar Prohibition and Excise Act or the Arms Act is made out against the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having eight criminal antecedents, I am not inclined



to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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