

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7927 of 2026

Arising Out of PS. Case No.-389 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Pramod Kumar Son of Chanarika Yadav R/o Village - Ghorwadih, P.S. -
Dobhi, Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2026 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 Sherghati Police Station Case No. 389 of 2025, dated 21.11.2025, disclosing offence under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that a person is coming from Jharkhand towards Gaya in a silver-coloured car, bearing registration no. BR02BW/6233, carrying illicit liquor, reached at Karmauni More and when the said car arrived, on seeing the police, the driver tried to flee away. The police chased the said car, but the car driver fled away after leaving the car near Hotel Shital



Chaya. On search of the car, the police recovered 189 litres of illicit liquor.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the police. He further submits that the petitioner had gone to book a hotel for function and hot discussion took place between the police and the petitioner, leading to filing of the present false and concocted First Information Report. He further submits that the petitioner has got no criminal antecedent.
5. Taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the car of the petitioner, accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.
6. This application is, accordingly, dismissed.
7. However, if the petitioner surrenders before the



concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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