

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16199 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- GOPALPUR District- Gopalganj

Chhotelal Yadav S/o- Hari Yadav R/v- Jagarnathpur, Jagarnath Yadav, PS-
Gopalpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Gopalpur PS Case No. 261 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 20.00
litres of liquor was recovered from three persons, out of which it
is alleged that 7.800 liters of country made liquor was recovered
which petitioner allegedly threw on the road.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of



disclosure made by apprehended co-accused person. The petitioner has got no concern with the alleged recovery of liquor. The petitioner has three (3) criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. Other co-accused has been granted regular bail by this Court vide order dated 01.12.2025, passed in Cr. Misc. No. 81956 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that petitioner bears three criminal antecedent/s that too of the similar nature, hence, he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as also taking into account the fact that petitioner bears three criminal antecedents of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail is hereby *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court



below in accordance with law without being prejudiced by the
order of this Court.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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