

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15804 of 2026

Arising Out of PS. Case No.-14 Year-2022 Thana- DULHIN BAZAR District- Patna

1. Rohit Yadav @ Rohit Kumar Son of Ram Ekwat Yadav Resident of Village - Chakia, P.S.- Bhagwanganj, District - Patna.
2. Mithalesh Yadav @ Mithalesh Kumar Son of Bhagat Yadav Resident of Village - Chakia, P.S.- Bhagwanganj, District - Patna.
3. Bimpu Kumar Son of Suresh Singh Resident of Village - Chakia, P.S.- Bhagwanganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Dulhin Bazar P.S. Case No. 14 of 2022, dated 21.01.2022, lodged under Sections 272 & 273 of the Indian Penal Code under Section 30(a)(c), 32(iii) & 34 Bihar Prohibition and Excise (Amendment) Act, 2018, pending before the Court of Special Judge Excise, Danapur.

3. As per the prosecution, total recovery of 50 litres of illicit liquor has been made, which is the subject matter of the present case.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner was not present at the place of occurrence. He further submits that the petitioner's name has been disclosed by local people. He also submits that the criminal antecedents of the petitioner are not clean, as one criminal case is pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the criminal antecedents of the petitioners are not clean, as one case of a similar nature is pending against them.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

7. It is directed to the petitioners to surrender before the Trial Court within a period of six weeks from today. In case the petitioners surrender within six weeks, the Trial Court is directed to pass order on their surrender-cum-bail applications on the same day, without being prejudiced by the fact that their anticipatory bail has been rejected by this Court. The Trial Court shall pass order on the merits of the case, particularly



considering the aspect that no recovery has been made from the
petitioners’ possession.

(Dr. Anshuman, J.)

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