

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21607 of 2026

Arising Out of PS. Case No.-33 Year-2026 Thana- BALIYA District- Begusarai

Rajniti Yadav S/o Late Parmanand Yadav Resident of Village- Tulsi Tol, P.S.-
Ballia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-04-2026 Heard Mr. Raj Kishor Prasad, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Ballia P.S. Case No. 33 of 2026 registered for the offence punishable under Sections 25(1-b)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, lodged on 15.01.2026 by the informant Md. Sarfuddin.

3. As per the prosecution story, the informant alleged that on secret information, the cow shed was raided and there is recovery/seizure of 11 liter of country made liquor beside a country made pistol and some cartridges from Somari Yadav, he named this petitioner, the brother to be accomplice. This led to the F.I.R..



4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Somari Yadav and not from this petitioner, he was not even present on the spot but the brother has named him.

5. Learned APP opposes the prayer submitting that the petition shows that he has criminal antecedent whereas the supplementary affidavit later filed record that the petitioner is accused in five criminal antecedent, his own brother has named him.

6. Taking into account the submissions of the parties, as also his past record, beside his own brother has named him, in that background, this Court refrains from extending any relief to the petitioner.

7. The anticipatory bail application stands rejected.

8. 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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