

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87761 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- AMNAUR District- Saran

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Pawan Rai @ Pawan Kr. Yadav @ Pawan Kumar Yadav S/o Dudhnath Rai
R/o Village- Guna Chapra, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Amnour PS Case No. 318 of 2024 instituted for the offences
under Sections 30(a), 33, 34, 37 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 1365 litres
of liquor was recovered from two pick-up vans.

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 the apprehended co-accused persons. Learned
counsel further submitted that petitioner is neither the owner nor
the driver of the vehicle in question. The petitioner has got no



concern with the alleged recovery of liquor. Learned counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has six criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner bears six criminal antecedents, that too of the similar nature, hence, he may not be enlarged on anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, since petitioner bears six criminal antecedents, that too of the similar nature, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner 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.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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