

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88743 of 2025

Arising Out of PS. Case No.-435 Year-2025 Thana- PHULPARAS District- Madhubani

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Sujeet Kumar Son of Duranand Yadav @ Durganand Yadav Resident of
village - Inarwa, P.S.- Phulparas, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, 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 Phulparas PS Case No. 435 of 2025 instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 625.08
litres of liquor was recovered from the house of the co-accused
person.

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 person. Learned
counsel further submitted that recovery is made from the house of
the co-accused. 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 five criminal antecedents. 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 five 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 five 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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