

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82691 of 2019

Arising Out of PS. Case No.-392 Year-2019 Thana- WAJIRGANJ District- Gaya

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Raushan Kumar Son of Naresh Sao @ Bhagat Jee Resident of Village -
Tarwan, P.S.- Wazirganj, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramashish, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Wazirganj**
P.S. Case No. 392 of 2019, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

13.125 litres of English wine is alleged to have been
recovered from the poultry farm of the petitioner.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. Nothing has been recovered from conscious possession of
the petitioner. Petitioner has got clean antecedent.

In view of the specific allegation of recovery of wine
from the poultry farm of the petitioner, the anticipatory bail



petition is not maintainable in view of the decision passed by the Full Bench in Cr. Appeal (SJ) No. 431 of 2019 in the case of Ram Vinay Yadav vs. State of Bihar. Accordingly, the same is rejected.

However, if the petitioner surrenders before the court below and makes prayer for regular bail, the same shall be considered on its own merit without being prejudiced by the present order.

(Prabhat Kumar Singh, J)

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