

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27365 of 2022

Arising Out of PS. Case No.-449 Year-2020 Thana- BARAUNI District- Begusarai

PINTU KUMAR @ TINKU KUMAR Son of Tuntun Poddar Resident of
Village - Keshave, P.s.- Barauni Refinery, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 28.875 liters of illicit
foreign liquor has been recovered from the house of this
petitioner.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery. Petitioner has got clean
antecedent.

Learned counsel appearing for the State opposes the



prayer for anticipatory bail.

In view of the fact that prima facie a case under the Excise Act, is made out against the petitioner, this application for grant of anticipatory bail to the petitioner is not maintainable in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar** reported in **2019(2) P.L.J.R. 1089 (F.B.)**.

Accordingly, this anticipatory bail application is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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