

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33986 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- AMNAUR District- Saran

RAHUL KUMAR SINGH Son of Akhilesh Singh @ Akhilesh Kumar Singh
Resident of Village - Paharpur, P.s.- Amnour, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act and sections 272 and 273 of the IPC .

Prosecution case is that 28.080 litres country made liquor was recovered from the half constructed house of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Petitioner has got no criminal antecedent.



Learned counsel for the State submits that the recovery has been made from the house of the petitioner.

Considering the fact that the recovery of alcohol has been made from the house of 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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