

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33679 of 2022

Arising Out of PS. Case No.-690 Year-2021 Thana- SONEPUR District- Saran

DEEPAK KUMAR @ DILIP RAI Son of Shambhu Rai Resident of Village -
Makhdumpur, P.S.- Sonapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-09-2022 Heard learned counsel for the petitioner and the State.

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

Prosecution case is that 219.700 illicit liquor was recovered from the 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 as the house in question is his joint family property.

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 illicit liquor 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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