

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37484 of 2022

Arising Out of PS. Case No.-72 Year-2021 Thana- KANHAULI District- Sitamarhi

Gautam Chaudhary Son Of Vijay Chaudhary R/O Village- Kachor, P.S.-
Kanhauli, District- Sitamarhi

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar, Advocate

For the Opposite Party : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-09-2022 Heard learned counsel for the petitioner and the
State.

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

As per the prosecution case, 171 liters illegal 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. Petitioner has got no
criminal antecedent.

Learned counsel for the State submits that illegal



liquor was recovered from the house of the petitioner. He further submits that 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.)

Considering the aforesaid facts, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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