

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57184 of 2022

Arising Out of PS. Case No.-835 Year-2020 Thana- DEHRI TOWN District- Rohtas

Birbahadur Singh Son Of Late Satnarayan Singh R/O Village- Gopi Bigaha,
P.S.- Dehri Town, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioner and the State
through video conferencing.

The petitioner apprehends his arrest in connection with Dehri Town PS Case No. 835 of 2020, registered for the offence punishable under sections, 420, 467, 468 and 471 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

480 litres of spirit and 40 KG of wrappers along with stickers were recovered from the room situated inside the boundary wall of this petitioner.

It is submitted that nothing has been recovered from conscious possession of this petitioner. Petitioner claims clean antecedent.

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 is not maintainable in view of the Full Bench decision of this Court in the case of ***Ram Vinay Yadav Vs. The State of Bihar*** reported in **2019(2) PLJR 1089**.

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

(Prabhat Kumar Singh, J)

vinita/-

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