

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59457 of 2022

Arising Out of PS. Case No.-27 Year-2020 Thana- BARH District- Patna

SURESH PASWAN Son of Jago Paswan Resident of Village- Fatehchand,
P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-12-2022 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.

Prosecution case is that 45 liters country made liquor was recovered beneath the shop 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 shop of the petitioner.



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