

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21612 of 2023

Arising Out of PS. Case No.-1134 Year-2021 Thana- KANKARBAG District- Patna

Shyam Baboo S/O Late Ram Nagina Singh, R/O Village And Post- Chipura Khurd, P.S- Gaurichak, Distt.- Patna, Presently Residing At Flat No. 104, Building No. 49, Nri Complex, Sector 54,56, 58,P.S.- Norul, Navi Mumbai, Maharastra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 30(a), 32(ii), 41(1), 56 of the Bihar Prohibition and Excise Act.

There is recovery of 750 ml of foreign liquor was recovered from a hotel of which this petitioner is Manager.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further stated that at the time of recovery of liquor, petitioner was not present in the country.

Learned counsel for the State opposes the bail petition.

Considering the fact that the recovery of illicit liquor



has been made from the roof 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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