

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20595 of 2023

Arising Out of PS. Case No.-214 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

SHIVAM THAKUR @ CHHOTU S/O RUPESH THAKUR Resident of
Village- Patahi Hari, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Nityanand, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-06-2023 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, 187.740 liters foreign
liquor was recovered from the house of the petitioner.

Learned counsel appearing for the petitioner submits
that no incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
connected with the aforesaid recovery.

Learned counsel for the State submits that the
petitioner has got no criminal antecedent of similar nature.
Moreover, alleged recovery has been made from the house of
the petitioner, as such, this pre-arrest bail petition 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 decision of this Court, this pre-arrest bail petition is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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