

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35859 of 2023**

Arising Out of PS. Case No.-148 Year-2022 Thana- LAUKAHI District- Madhubani

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HARILAL RAM @ HARE RAM KUMAR S/O SITAY RAM @ MUNAI
RAM R/O Village Ramtola Mansapur, P.S.-Laukhi Dist.-Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

- 2 27-07-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30a of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, illegal liquor was recovered from the house of the petitioner.
4. 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. Petitioner has got no criminal antecedent.
5. Learned counsel for the State submits that the 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.)**.



6. 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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