

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66981 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- Excise P.S. District- Samastipur

AMAR PASWAN @ MAUJE PASWAN @ MANOJ PASWAN S/o- LATE
MOHAN PASWAN Village- Mahmudpur Ps-Tajpur Halai OP Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Ms/Mrs. Gulnar Begum, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 18-10-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a/30c of the Bihar Prohibition and Excise Act.
3. As per the prosecution case, 17 liters illicit liquor was recovered from the courtyard of the petitioner.
4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. 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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