

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27909 of 2024

Arising Out of PS. Case No.-93 Year-2022 Thana- Excise P.S. District- Gopalganj

Upendra Chaudhary @ Upendra Yadav Son of Kedar Yadav @ Kedar Chaudhary Resident of Village- Bhainsahi, Police Station- Manjhagarh, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-05-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 405 liters illicit 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.

5. Learned A.P.P. for the State submits that huge quantity of illicit liquor was recovered from the house of the petitioner and he has got 5 criminal antecedents of similar



nature. He further submits that 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.)**.

6. Considering the aforesaid facts, anticipatory bail application of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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