

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29604 of 2024

Arising Out of PS. Case No.-121 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Munna Sao @ Munna Saw S/o Late Devan Sao @ Devan Saw R/o vill -
Budhgere, P.s. - Mufassil, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends his arrest in connection with

Excise Case No. 121 of 2011 registered for the offence

punishable under Sections 47(f), 48, 13(f) of Bihar Excise Act

and Sections 2(a), 3, 5(6) and 18 of Bihar Mahua Flowers Rules.

3. As per the prosecution case, 1200 kg mahua flowers

was recovered from the house of the petitioner.

4. Learned counsel appearing for the petitioner submits

petitioner is innocent and has falsely been implicated in the

present case. Further submission is that nothing has been

recovered from the conscious possession of the petitioner.

Petitioner claims clean antecedent.



5. Learned A.P.P. for the State submits that 1200 kg mahua flowers was recovered from the house of the petitioner. 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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