

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45338 of 2024

Arising Out of PS. Case No.-203 Year-2024 Thana- CHANDI District- Nalanda

1. Tanu Yadav @ Raj Ballam Kumar son of Baleshwar Yadav @ Baleshwar Prasad Village- Mosimpur Ps- Chandi Dist- Nalanda
2. Pankaj Kumar son of Ratan Saw Village- Gangaura Ps- Chandi Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate

For the Opposite Party/s : Mr. Shaheen Begum , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioners and the
State .

2. Petitioners apprehend arrest in a case registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act 2018.

3. As per the prosecution case, 20.070 liter of English
Wine and 15 liters country made wine was recovered from the
house of these petitioners.

4. Learned counsel appearing for the petitioners
submits that the petitioners are innocent and has falsely been
implicated in this case. No incriminating material has been
recovered from the conscious possession of the petitioners and



they are no way connected with the aforesaid recovery.

5. Learned counsel for the State submits that the recovery has been made from the house of the petitioners, 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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