

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45111 of 2024**

Arising Out of PS. Case No.-35 Year-2024 Thana- BALIGAON District- Vaishali

Mahesh Choudhary Son Of Bindu Choudhary Village- Digha Fatehpur, P.S.-
Baligaon, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

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

2 29-07-2024 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, 30 liters semi prepared Java and 3 liter county made liquor was recovered from the house of petitioner.

4. Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from conscious possession of the petitioner and he is no way connected with the aforesaid recovery.

5. Learned A.P.P. for the State opposed the bail application and 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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