

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53165 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- Balwahat District- Saharsa

Arvind Das Son of Late Mangal Das R/o Village - Saroja Kopriya Tola, P.S.-
Balwahat, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Harun Quareshi

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Balwahat Police Station Case No. 07 of 2024, dated 20.03.2024, disclosing offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case as per the First Information Report, is that the Police raided the house of the petitioner and recovered 304 litres of illicit foreign liquor from the said house.
4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on suspicion and the house, from which illicit liquor has been recovered, several other members also reside. He



further submits that at the time of seizure, no person was found inside the house.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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