

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51965 of 2024**

Arising Out of PS. Case No.-94 Year-2024 Thana- RUPAULI District- Purnia

Lalan Jaiswal @ Ajay Jaiswal son of Rajendra Prasad Jaiswal Village- Birauli
Bazar Ps- Rupauli Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi , Advocate
Mr. Sumit Kumar Bhagat , Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2 , APP

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

2 21-08-2024 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 2022 .

3. As per the prosecution case , 75.750 liters of
country made liquor was recovered from the house of the
petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. 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 counsel for the State submits that huge quantity of liquor has been recovered from the house of the petitioner, 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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