

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55289 of 2024

Arising Out of PS. Case No.-300 Year-2024 Thana- BUDDHACOLONY District- Patna

1. Raja Dhangar S/O Chamru Dhangar @ Cham Ram R/O Village-Near Shivmandir of China Kothi,PS-Budha Colony, Distt-Patna
2. Kajal Devi@Kajal Kumari@Kajal Kumar W/O Raja Dhangar R/O Village-near Shivmandir of China Kothi,PS-Budha Colony,Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Binay Kumar Singh, Advocate
For the State : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their 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 litres country made liquor has been recovered from the hut 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 these petitioners and they are in no way connected with the aforesaid recovery. Petitioners claim clean antecedents.



5. On the other hand, learned APP appearing for the State submits that huge quantity of liquor has been recovered from the house of these petitioners, as such, this pre-arrest bail petition is not maintainable in view of decision of the Full Bench of this Hon’ble 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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