

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58106 of 2024

Arising Out of PS. Case No.-354 Year-2017 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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Manoj Rai @ Manoj Kumar @ Manoj Roy son of Late Kishori Rai Village-
Bahura Ps- Chewara Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehend his arrest in a case
registered for the offence punishable under Section 47(a) of the
Bihar Excise Act.

3. As per the prosecution case, total 600 litres of
illicit country made liquor was recovered from the poultry farm
of the petitioner.

4. Learned counsel appearing for the petitioner is
innocent and has falsely been implicated in this case. The
petitioner has no concern with the alleged recovery. No
incriminating article was recovered from the conscious
possession of the petitioner. The petitioner has one criminal



antecedent and he is on bail in that case.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner and submits that there is huge quantity of alleged recovery is made from the poultry farm of the petitioner, as such, this anticipatory bail petition is not maintainable, in view of the 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 anticipatory bail petition is dismissed as same is not maintainable.

(Prabhat Kumar Singh, J)

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