

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58115 of 2024

Arising Out of PS. Case No.-196 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Vicky Ray @ Bikki Rai @ Vikki Roy Son of Raj Balak Ray R/V- Village-
Pokharaira, P.S.- Samastipur (Muffasil), Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Roy
For the Opposite Party/s	:	Mr. Abhay Kumar Roy

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 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 414.72 litres
of illicit foreign liquor was recovered from the E-Rickshaw and
from the door of the house 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. Petitioner bears fair antecedent.



5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner and submits that huge quantity of liquor has been recovered from the E-Rickshaw and from door of the house 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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