

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62711 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- SIMRI District- Buxar

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Jitesh Yadav @ Jitesh Kumar Yadav S/o Dadan Yadav R/o Village- Niyajipur,
Tekman Yadav Ke Dera, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Dr. Kamal Deo Sharma, Advocate
For the State : Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends her 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, 37.4 litres illicit liquor has been recovered from the shop and motorcycle of this petitioner.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of this petitioner and he is in no way connected with the aforesaid recovery. Petitioner has got no criminal antecedent of similar nature.

5. On the other hand, learned APP appearing for the



State submits that illicit liquor has been recovered from the shop and house of this petitioner and, 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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