

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3054 of 2024

Arising Out of PS. Case No.-374 Year-2023 Thana- MANJHAGARH District- Gopalganj

Dhananjay Chaudhary @ Dhananjay Kumar son of Ambika Chaudhary
Village- Bishambharpur Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30a of the Bihar Prohibition and Excise Act.

3. Prosecution case is that 39 liters illicit 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. Petitioner has got no criminal antecedent.

5. Learned counsel for the State submits that the



recovery has been made from the house of the petitioner, as such, he cannot escape responsibility.

6. Considering the fact that the recovery of illicit liquor has been made from the house of the petitioner, this application for grant of anticipatory bail to the petitioner, 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.)**.

7. Accordingly, this anticipatory bail application is dismissed as not maintainable.

(Prabhat Kumar Singh, J)

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