

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3018 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- RAJNAGAR District- Madhubani

=====

Santosh Kumar Thakur @ Santosh Thakur SON OF SURYADEV THAKUR
@ BAUKA THAKUR RESIDENT OF VILLAGE KARHIYA PS -
RAJNAGAR DIST. - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Mohammed Arif

=====

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

3. Prosecution case is that 30.300 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)

sanjeev/-

U		T	
---	--	---	--

