

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1194 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Shivnath Ray S/o- Late Jamun Ray Residence of ward no, 02, Village-
Mubarakpur Lat Basepura, Police Station-Musarigharari, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar , Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2025 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 2018 (Amended).

3 . As per the prosecution case , 17.955 liters of
illegal foreign liquor was recovered from the go-down (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 .

5. Learned counsel for the State submits that the



recovery has been made from the house/ go-down of the petitioner, as such, this pre-arrest bail petition 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.)*.

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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