

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4933 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- BIHRA District- Saharsa

Vijendra Yadav @ Bijendra Yadav @ Bijendra Kumar S/o Upendra Yadav
Resident of Village- Bishunpur, Ward No. 8, P.S.- Bihra, Distt.- Saharsa
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per F.I.R., on 03.05.2024, on a secret information, a raid was conducted in the house of petitioner and 4 liters of country-made liquor has been recovered from the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. No incriminating material has been recovered from the conscious possession of the petitioner. The recovery has been made from the house, which is in joint possession of the family and petitioner has got no concern with the aforesaid recovery. Petitioner claims clean antecedent.



5. Learned A.P.P. for the State opposes the prayer for bail and submits that the recovery has been made from the house of the petitioner, as such, this anticipatory 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 anticipatory bail petition is dismissed.

(Prabhat Kumar Singh, J)

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