

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6656 of 2025

Arising Out of PS. Case No.-407 Year-2024 Thana- PHULPARAS District- Madhubani

Awadhesh Yadav S/O Fuldev Yadav @ Ful Deb Yadav R/O Village- Pubari
Tola, Phulparas, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the State : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his 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, 695.4 litres foreign liquor has been recovered from house 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.

5. On the other hand, learned APP appearing for the State submits that illicit liquor has been recovered from the 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.)*. It is further submitted that petitioner has got one criminal antecedent of similar nature.

6. Considering the aforesaid decision of this Court and the fact that petitioner has also got one criminal antecedent of similar nature, this pre-arrest bail petition is dismissed.

(Prabhat Kumar Singh, J)

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