

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7811 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- PRATAPGANJ District- Supaul

1. Vishun Sardar Son of Late Sudami Sardar Resident of Village - Murgaha, Ward No.10, P.S. - Pratapganj, District - Supaul
2. Birju Sardar Son of Late Khushilal sardar Resident of Village - Murgaha, Ward No.10, P.S. - Pratapganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Krishna Prabhat, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their 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, 85 litres country made liquor has been recovered from house of Petitioner No. 2 and 45 litres country made liquor has been recovered from house of Petitioner No. 1.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of these petitioners and



they are 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 houses of these petitioners 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 No. 1 has got one criminal antecedent of similar nature.

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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