

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17238 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- Excise P.S. District- Patna

Ashish Kumar @ Ashish Nishad S/O Vijay Kumar Resident of Village-
Machhua Toli, P.S- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad , Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-04-2025 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) , 32, 62 and 56 (b)
of the Bihar Prohibition and Excise Amendment Act 2022 .

3 . Prosecution case is that 166.530 liters illicit
liquor were recovered from godown/shop of the petitioner
which was taken on rent by petitioner and accordingly the
seizure list was prepared.

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



claims clean antecedent.

5 . Learned counsel for the State submits that the recovery has been made from the godown/shop of the petitioner. He further submits that petitioner is not entitled to the privilege anticipatory bail 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 rejected.

(Prabhat Kumar Singh, J)

Koushik/-

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

