

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21401 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- MASHRAK District- Saran

Binod Ram Son of Late Swaminath Ram Resident of Village - Bahadurpur,
P.S.- Mashrakh, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and Mr.
Umeshanand Pandit, learned A.P.P. for the State.

2. The petitioner apprehends 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, 3 liters spirit has been
recovered from the house of this petitioner.

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 Asbestos house of petitioner, which is
an open place, and petitioner has got no concern with the
aforesaid recovery. Petitioner claims clean antecedent.



5. Learned counsel for the State 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 facts and circumstances, the anticipatory bail petition stands dismissed.

(Prabhat Kumar Singh, J)

anay

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

