

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21400 of 2025

Arising Out of PS. Case No.-389 Year-2024 Thana- ALAMNAGAR District- Madhepura

Amit Kumar S/O Kishore Singh R/O Village- Ganiyari Ward No. 04, P.S-
Alamnagar, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and 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, 65 liters country-made
liquor 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. Alleged
recovery has been made from the residential complex and
petitioner had no knowledge about the alleged illicit liquor.
Petitioner has got 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 decision of this Court, this anticipatory bail petition is dismissed as same is not maintainable.

(Prabhat Kumar Singh, J)

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