

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24096 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- BEERPUR District- Begusarai

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Raushan Kumar S/o Vilat Mahto R/o Village- Fazilpur Ward No. 07, P.S.-
Birpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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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, 7.05 liters of foreign
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. The recovery
has been made from the house, which is in joint possession of
the family and others and petitioner has got no concern with the
alleged 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 decision of this Court, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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