

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26127 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- RAHIKA District- Madhubani

Md. Shamshad Son of Kari Nadaf R/O- Village- Pokhrauni Dhuniyatol, P.S.-
Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Mr. Vinod Kumar, Adv
For the Opposite Party/s : Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-05-2025 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) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, total 120 litres illicit
liquor was recovered out of which 30 litres was recovered from
the house of petitioner.

4. Learned counsel appearing for the petitioner
submits that no incriminating material has been recovered from
the conscious possession of the petitioner and he is no way
connected with the aforesaid recovery. Petitioner has been made
accused only on suspicion.

5. Learned A.P.P. for the State submits that 30 litres
illicit liquor was recovered from the house of the petitioner and



he has got one criminal antecedent of similar nature. He further submits that petitioner is not entitled to the privilege of 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 facts, anticipatory bail application of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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