

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41069 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- BANJARIA District- East Champaran

Rambabu Sahani S/o- Lahawar Sahani @ Lawhar Sahani, R/o Village-
Jhakhiya Naya Tola, P.S.- Banjariya, Dist- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar-II, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 274 and 275 of the BNS and under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 45 litres of illicit country made liquor has been recovered, out of which 30 litres of illicit country made liquor has been recovered from the hut of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged



recovery.

5. Learned A.P.P. for the State submits that 30 liters of illicit country made liquor was recovered from the hut 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 decision of this Court, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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