

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46047 of 2025

Arising Out of PS. Case No.-624 Year-2024 Thana- RAFIGANJ District- Aurangabad

Indal Chaudhari S/O Sanichar Chaudhary R/O Vill- Naiki, P.S.- Rafiganj,
District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Praveen Kumar, learned counsel for the

petitioner and Mrs. Indu Kumari Srivastava, learned APP for the

State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Rafiganj P.S. Case No. 624 of 2024 instituted
for the offence under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The case of the prosecution is that from the house
of this petitioner, altogether 20 liters of country-made liquor was
recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this



case. He also submits that the seizure is not made in consonance with Section 100 of the Cr.P.C. It has also been submitted that the house does not belong to the petitioner.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submits that from perusal of the seizure list, it is clear that the recovery has been made from the house of the petitioner. It is also submitted that the petitioner has criminal antecedent of four cases of similar nature.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above and in view of the verdict of the Hon'ble Full Bench of this Court in the case of *Ram Vinay Yadav v. The State of Bihar* reported in *2019 (2) PLJR 1089 (F.B.)*, the prayer for anticipatory bail of the petitioner is not maintainable. Hence, this anticipatory bail application stands rejected.

(Ashok Kumar Pandey, J)

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