

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47551 of 2025

Arising Out of PS. Case No.-269 Year-2022 Thana- GARDANIBAG District- Patna

Rohit Kumar S/o Late Ramakant R/o Village- Yarpur Domkhana, Shivjee
Path, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanju Singh, Advocate
For the State : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 34 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 40 litres illicit country made liquor was recovered from the house of this petitioner.

4. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of this petitioner and he is in no way connected with the aforesaid recovery. Petitioner claims clean antecedents.

5. On the other hand, learned APP appearing for the



State submits that petitioner is not entitled to the privilege of anticipatory bail in view of decision of the Full Bench of this Hon’ble 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 nature of accusation and aforesaid decision of this Hon’ble Court, the prayer for grant of anticipatory bail to this petitioner is rejected.

(Prabhat Kumar Singh, J)

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