

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48104 of 2025

Arising Out of PS. Case No.-440 Year-2025 Thana- SASARAM NAGAR District- Rohtas

Rajesh Kumar S/o Tulsi Mahto R/o Vill- Fajalganj, P.S.- Sasaram, Distt-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Vinay Kumar Singh, Advocate
For the State : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2025 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 Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 25.32 litres illicit liquor was recovered from the hut 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 aforesaid decision of this Court, the prayer for grant of anticipatory bail to this petitioner is rejected.

(Prabhat Kumar Singh, J)

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