

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53920 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- GURUA District- Gaya

Birendra Mandal @ Virendra Mandal S/o Varat Mandal @ Barat Mandal R/o
Village- Manjhar, P.S.Gurua, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : **Mr. Md. Nazir Ansari , APP**

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-08-2025

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 . Prosecution case is that 5 liters illicit liquor was recovered from house of this petitioner.

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

5 . Learned counsel for the State submits that the recovery has been made from the house of the petitioner. He



further submits that petitioner is not entitled to the privilege 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, this pre-arrest bail petition is rejected.

(Prabhat Kumar Singh, J)

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