

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53774 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- KADWA District- Katihar

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1. Kolahiya Devi W/o Late Kaitha Rishi R/o Hachalpur, PS- Kadwa, Distt.- Katihar
 2. Pappu Rishi S/o Jagdish Rishi R/o Hachalpur, PS- Kadwa, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their 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, 50 litres of country made liquor was recovered from the house of petitioner no. 1 and 05 litres of country made liquor was recovered from the house of petitioner no. 2.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of these petitioners and



they are in no way connected with the aforesaid recovery.
Petitioners claim clean antecedents.

5. On the other hand, learned APP appearing for the State submits that petitioners are 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 Court, the prayer for grant of anticipatory bail to this petitioners is rejected.

(Prabhat Kumar Singh, J)

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