

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56265 of 2025

Arising Out of PS. Case No.-233 Year-2025 Thana- GOH District- Aurangabad

Lawkush @ Lawkush Kumar @ Law Kumar S/o Mahavir Paswan R/o Village
- Berka, P.S - Goh, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Goh P.S. Case No. 233 of 2025 registered under Section 30(a) of
Bihar Prohibition and Excise Act.

3. As per the prosecution case, 44 litres of illicit liquor
kept inside a room in a sack was recovered from the house of
the petitioner. It is alleged that petitioner fled away from the
spot identified by local *chowkidar*.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Petitioner
had no knowledge about the seized liquor kept in his room. The
recovery has been made from joint family property. No
incriminating material has been recovered from the conscious



possession of the petitioner. There is no independent witness on the seizure list. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail and submits that huge quantity of illicit liquor has been recovered from the house of the petitioner. He further submits that 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.)**, *prima facie* case is made out against the petitioner, therefore, the anticipatory bail is not maintainable.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and huge quantity of recovery from the house of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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