

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62633 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- RAJPUR District- Buxar

Shri Bhagwan Chauhan @ Shri Bhagwan Singh @ Shreebhagvan S/O Late
Basropan Chauhan Resident of Village- Jalhara, P.S- Rajpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per the prosecution case, total 46.22 liters illicit
liquor was recovered from the 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 on suspicion. No incriminating material
has been recovered from the conscious possession of the
petitioner and he has got no concern with the aforesaid recovery.
Petitioner has got no criminal antecedent.

5. Learned counsel for the State submits that the



recovery has been made from the house of the petitioner, as such, this pre-arrest bail petition is not maintainable 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, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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