

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69976 of 2025

Arising Out of PS. Case No.-853 Year-2025 Thana- DANAPUR District- Patna

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Satyendra Rai @ Satyendra Kumar S/o- Uma Kant Rai @ Uma Prasad Singh
R/o- Nariyal Ghat, Masjid ke Pass, P.S-Danapur, District- Patna, Bihar
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Ujjwal, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Danapur P.S. Case No. 853 of 2025, instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. To verify the secret information that the petitioner has kept illicit liquor in his house and doing business of illicit liquor, police raided the house of the petitioner and recovered 15.36 litres foreign liquor from his room. Petitioner fled away from his house, who was identified by the local people.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He is not involved in the business of illicit liquor. The house from where recovery has been made is a joint family property. Petitioner was not present in his house and there is no recovery from the conscious possession of the petitioner. Petitioner has no concern



with the seized liquor. There is no independent witness to the seizure-list. Petitioner has one criminal antecedent which is of similar nature. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail and submits that petitioner is involved in the business of illicit liquor having criminal antecedent. On secret information, recovery of illicit liquor has been made 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 and the fact that petitioner has one criminal antecedent of similar nature and on specific information recovery of illicit liquor has been made from the house of petitioner, this Court is not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the prayer of anticipatory bail of the petitioner is rejected.

(Sunil Dutta Mishra, J.)

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