

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81522 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- KURSAKANTA District- Araria

Parmanand Malahkar @ Kulkul @ Parmanand Malakar Son of Bachchu
Malakar @ Bachchu Malahkar Resident of Village- Kamaldaha, Ward No. 01,
P.S. - Kursakanta, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. 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, 92.46 liters of Nepali
country-made liquor has been recovered from the house of this
petitioner.

4. Learned counsel for the petitioner submits that
recovery has been made from the house, which is in joint
possession of the family, and petitioner has got no concern with
the alleged recovery. Petitioner claims clean antecedent.

5. Learned counsel for the State submits that the



recovery has been made from the house of the petitioner, as such, this anticipatory 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, this anticipatory bail petition is dismissed as same is not maintainable.

(Prabhat Kumar Singh, J)

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