

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.307 of 2025

Arising Out of PS. Case No.-141 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Ram Babu Paswan Son of Ramkshya Paswan Resident of Vill- Musapur Ward
No. 5, P.S.- Ghanto, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Upendra Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner and the State .

2. 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, 9 liters of country
made wine was recovered from the shop/house of the petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. No incriminating material has been
recovered from the conscious possession of the petitioner and he
is no way connected with the aforesaid recovery .

5 . Learned counsel for the State submits that the
recovery has been made from the shop 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, this pre-arrest bail petition is dismissed as not maintainable .

(Prabhat Kumar Singh, J)

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