

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.899 of 2025

Arising Out of PS. Case No.-243 Year-2024 Thana- KADAMKUAN District- Patna

Kishan Kumar S/O Shambhu Saw @ Rajan Kumar Gupta @ Ramu Saw
Resident of Daldali, P.s- Kadamkua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar , Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-02-2025 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 , 0.900 ml liters of
english wine was recovered from the 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 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, this pre-arrest bail petition is dismissed as not maintainable .

(Prabhat Kumar Singh, J)

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