

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40332 of 2026

Arising Out of PS. Case No.-464 Year-2025 Thana- SABAUR District- Bhagalpur

Mohit Kumar S/O Raghunath Mandal Resident of Village - Mamalaka
Lailakh, P.S- Sabour, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2026 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 . Prosecution case is that 39.9 liters of 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. 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 and has



one criminal antecedent. He further submits that petitioner is not entitled to the privilege of anticipatory bail 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 rejected.

(Prabhat Kumar Singh, J)

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