

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62742 of 2018

Arising Out of PS. Case No.-313 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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Himanshu Kumar, Son of Ravindra Sharma, Resident of Village- Karea, P.S.-
Panchanpur (Tekari), District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushant Praveer

For the Opposite Party/s : Smt. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016.

The foreign liquor was allegedly recovered from the four wheeler of this petitioner. The driver fled away.

Submission is that petitioner had no knowledge as the driver had taken the vehicle without permission of the petitioner and he has got no criminal antecedent.

Considering the fact that the petitioner cannot evade of his liability as to what illegality was being committed with his vehicle, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Excise (Barachatti) Case



No. 313 of 2018 pending in the court of learned Special Judge
Excise, Gaya. Hence, prayer for anticipatory bail is refused.

However, in the event of surrender, prayer of the
petitioner for regular bail shall be considered without being
prejudiced by this order.

(Birendra Kumar, J)

Kundan/Rajan

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