

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23522 of 2018

Arising Out of PS. Case No.-33 Year-2017 Thana- CHANDAN District- Banka

Sanjeev Kumar, son of Sunil Thakur, resident of village – Lattipur, P.S. -
Bihpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Pravina Kumari

For the Opposite Party/s : Sri Chaubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 23-04-2018 Heard Smt. Pravina Kumari, learned counsel for the

petitioner and Sri Chaubey Jawahar, learned Additional Public

Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Chandan P.S. Case No. 33 of 2017, registered
for the offence under Sections 30(a)(g) and 32(2) of the Bihar
Prohibition and Excise Act, 2016 has prayed for grant of bail in
the event of his arrest or surrender.

Learned counsel for the petitioner mainly has prayed
for grant of anticipatory bail on the ground of parity. It has been
argued that one of the co- accused namely: Rakesh Singh, who
had paid Rs. 4,05,000/- to the person where the seized liquor
was to be delivered, has already been granted anticipatory bail
vide Cr. Misc. No. 60409 of 2017. Accordingly, it has been



prayed for granting bail in the event of arrest or surrender of the petitioner.

Learned Additional Public Prosecutor has opposed the prayer for grant of anticipatory bail.

Besides hearing, I have also examined the F.I.R. In paragraph no. 3 of the petition a fact has been mentioned that petitioner was also accused in one another case. Besides this, in the present case, vehicle of the petitioner i.e. Pick-Up Van was used for carrying liquor and huge quantity of Indian make foreign liquor was recovered from the vehicle of the petitioner. The ownership in respect of the said vehicle has not been disputed.

Considering the fact that petitioner is the owner of the vehicle from which huge quantity of Indian make foreign liquor was recovered as well as the fact that petitioner is having criminal antecedent, certainly petitioner's case may not be considered for grant of anticipatory bail. I do not find any ground to pass favourable order. The prayer for grant of anticipatory bail stands dismissed.

(Rakesh Kumar, J)

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