

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62751 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- GANGABRIDGE District- Vaishali

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Asharfi Mahto, Son of Subdar Mahto @ Subedar Mahto, resident of Ward No. 12, Terasiya, Police Station - Terasiya, District - Vaishali at Hazipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neerad Parashar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The foreign liquor was allegedly recovered from the tempo 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 Ganga Bridge P.S. Case No.



74 of 2018 pending in the court of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Vaishali at Hazipur. 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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