

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29849 of 2018

Arising Out of PS. Case No.-203 Year-2017 Thana- FORBESGANJ District- Araria

Om Prakash Nisad, S/o Late Sahabir Singh, Resident of Village Kevlasi,
P.S.- Simraha (Forbesganj), Distt. - Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Shiv Shankar Sah, Advocate

For the Opposite Party/s : Sri Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 03-07-2018 Heard Sri Shiv Shankar Sah, learned counsel for the
petitioner and Sri Nityanand , learned Additional Public
Prosecutor .

The sole petitioner, apprehending his arrest in connection with Forbesganj P.S. Case No. 203 of 2017, registered for the offence under Section 30 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 submits that petitioner has falsely been implicated in the present case. According to learned counsel for the petitioner tractor of petitioner was hired by one another person on rental basis , and thereafter, without knowledge of petitioner, he was carrying huge quantity of Indian make foreign liquor. Learned



counsel for the petitioner has referred to running page no. 19 and submits that petitioner was ailing. He further submits that on 20.03.2017 he was admitted in a private nursing home and he was discharged on 30.03.2017, whereas, in this case his tractor loaded with stone chips in which huge quantity of Indian make foreign liquor was concealed was intercepted and he has falsely been made accused.

Learned Additional Public Prosecutor submits that in this case earlier case diary was called for and in the case diary there is material that petitioner is the owner of the tractor and in the said tractor huge quantity of Indian make foreign liquor was found concealed in stone chips.

Considering the fact that the petitioner is the owner of the vehicle from which huge quantity Indian make foreign liquor was recovered, there is no reason to extend the privilege of anticipatory bail to the petitioner.

The petition stands dismissed.

(Rakesh Kumar, J)

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