

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3832 of 2019

Arising Out of PS. Case No.-244 Year-2017 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Rajan Sah, son of Om Narayan Sah Viilage/Mohalla Ruhelaganj P S Lalit
Narayan Mithila University Dist.-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-01-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Lalit Narayan Mithila University P.S. Case No. 244 of 2017 dated 07.10.2017 instituted for the offences under Sections 30(a) and 41 of the Bihar Liquor Prohibition and Excise Act, 2016.

113.4 litres of liquor is said to have been recovered from a Scorpio vehicle which is alleged to have been driven by the petitioner.

Learned counsel for the petitioner submits that he was not arrested on the spot and nothing has been recovered from his possession. He does not have criminal antecedents as well.

However considering the fact that the petitioner



is the driver of the vehicle from where the recovery has been made, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail is rejected.

In case the petitioner surrenders and prays for bail, the court below shall take into account that the petitioner does not have any criminal antecedents and that the owner of the vehicle has been granted anticipatory bail and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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