

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13644 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- NAVINAGAR District- Aurangabad

Akshay Kumar Mehta, son of Late Rambrichh Mehta Resident of Village-
Dihri, Bistrampur, P.S.- Hussainabad, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 08-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
C.I.S. No.865 of 2018, Nabinagar P.S. Case No.252 of 2018 for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The allegation against the petitioner is that police
intercepted a motorcycle on 19.06.2014 and the person who was
driving the motorcycle had fled away. However upon search
125 pouches each 200 ml. liquor was recovered from the
motorcycle.

Learned counsel for the petitioner submits that
motorcycle bearing Registration No.Jh14B-8284 was sold by
the petitioner in favour of one Kedar Nath Singh on 19.06.2014



much before the date of occurrence, as such petitioner is not responsible for the offence as alleged.

Learned counsel for the State submits that from the case diary, it is apparent that the motorcycle was standing in the name of the petitioner and defence taken by the petitioner is not tenable inasmuch as Annexure '2' is a document of sale on plain paper.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the illegal liquor has been recovered from the motorcycle belonging to the petitioner. Accordingly, I am not inclined to grant anticipatory bail to the petitioner.

If the petitioner surrenders before the Court below within four weeks from today and seeks for regular bail, the learned Court below shall consider his application for regular bail on the same day without being prejudiced by the rejection order of this Court.

(Anil Kumar Sinha, J)

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