

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16410 of 2019**

Arising Out of PS. Case No.-103 Year-2017 Thana- MASHRAK District- Saran

BED PRAKASH Son of Late Omkar Resident of house no.214 ward no.01
near Vishwakarma Mandir Tahsil Safidon, District-Jind (Haryana).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Veena Rani Prasad

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 13-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Masrakh P.S.Case no.103 of 2017 registered for offences punishable under Sections 30(30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016 of the Indian Penal Code.

Allegation against the petitioner is about recovery of 2420.720 ltrs. of English wine from the truck and the petitioner is owner of the truck.

Submission of the learned counsel for the petitioner is that he has no knowledge about the loading of the wine in his truck and for that Driver and Khalasi are responsible and it has also been submitted that one of the co-accused has been granted privilege of anticipatory bail, vide order dated 16.4.2018 passed in Cr. Misc. No.10711 of 2018.



Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the petitioner is owner of the truck .

Having heard both sides and in view of the fact that he is owner of the truck with which the recovery has been made as such , I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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