

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14753 of 2019**

Arising Out of PS. Case No.-229 Year-2017 Thana- LALGANJ District- Vaishali

CHULHAI PASWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 11-03-2019 Heard both sides.

The petitioner apprehends his arrest in Lalganj P.S. case No. 229 of 2017 registered under Section 272, 273 of the IPC and under Section 30(A), 32(2), 41(1) of Bihar Prohibition & Excise Act.

The police saw a motor cycle on which three persons were riding and carrying liquor but after seeing the police the motor cyclists fled away. One person was arrested while he was carrying liquor on a cycle. The apprehended accused, Suresh Choudhary, disclosed that Pappu Rai is owner of liquor and he was driving the motor cycle. The petitioner, Chulhai Paswan, and Mangal Rai were carrying a pot containing liquor.

The learned counsel for the petitioner submits that apprehended accused disclosed that Pappu Rai was owner of the



liquor but from perusal of the FIR it appears that petitioner was sitting on the motor cycle and he was carrying the liquor while Pappu Rai was driving the motor cycle.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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