

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20479 of 2019**

Arising Out of PS. Case No.-48 Year-2019 Thana- BELAGANJ District- Gaya

MANTU SAW @ MANTU KUMAR GUPTA Son of Barhan Saw, Resident
of village- Shahpur, P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-04-2019 Heard the learned counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Excise and Prohibition Act, 2016 and Sections 2A, 3, 5B, 18 and 42 of Bihar Excise (Mahua Flower) Rules, 2006.

The prosecution case is that the informant being, a police officer recovered 560 kg. of Mahua flowers from a vehicle, which belongs to the petitioner.

It is submitted by the learned counsel for the petitioner that petitioner is owner of the vehicle in question and was not present at the place of occurrence. He has no concerned with the seized Mahua flowers. A statement has been made in paragraph 3 of the petition that the petitioner is not having any



criminal antecedent.

Learned APP submits that the recovery has been made from the vehicle of the petitioner.

Considering the nature of recovery, it is a case for consideration of prayer for regular bail by the learned court below, if the petitioner surrenders within a period of six weeks from today in connection with Belaganj P.S. Case No. 48 of 2019, pending in the Court of learned Special Judge, Excise Act, Gaya.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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