

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16735 of 2019

Arising Out of PS. Case No.-444 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

MD. ISHLAM @ MD ISLAM Son of Md. Aziz @ Shekh Ajij Resident of Chandmari, P.S.- Chandmari, Distt - Kohima. Permanent Address - Village - Mansurpur Mahna Tara, P.O. and P.S. - Motipur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 19-06-2019 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Sahebganj P.S. Case No. 448 of 2018 registered for the offence punishable under sections 272, 273 of the Indian Penal Code and sections 30(A), 36, 38(II), 41(I) of the Bihar Prohibition and Excise Act.

Learned counsel appearing for the petitioner submits that petitioner has been falsely implicated in this case merely because he is owner of the vehicle in question. Petitioner had no knowledge about the loading of liquor on his truck. Petitioner is a man of clean antecedent.

Learned Addl. P.P. appearing for the State



opposes the prayer for bail and submits that huge quantity of illicit liquor has been recovered from the vehicle of this petitioner.

Considering the nature of allegations levelled, the quantity of recovery and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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