

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25866 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- GAIGHAT District- Muzaffarpur

Shyam Kumar Rai @ Shyam Rai, Son of Suraj Rai, Resident of Village -
Harsinghar, P.S.- Sakra, Distt.- Muzaffarpur (Owner Of the Bolero Pick up
having registration No.BR-06GC-7377)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-07-2019 This is an application for grant of anticipatory bail in
connection with Gaighat P.S. Case No.31 of 2019, disclosing
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

Allegation of recovery of huge quantity of liquor from
the truck of the petitioner, who happens to be the owner of the
truck.

Submission of the learned counsel for the petitioner is
that he has no knowledge about the carrying of liquor by his
truck and the driver was responsible for that.

Heard learned A.P.P. also, who has opposed the prayer
for bail on the ground that transporting of liquor, is also an
offence under the new Excise Act and as such, *prima facie*
material against the petitioner.



Having heard both sides, in view of the fact that the huge quantity of the liquor recovered from the truck of the petitioner, who happens to be the owner of the truck, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own merit.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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