

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28826 of 2019

Arising Out of PS. Case No.-251 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Santosh Kumar, Aged about 35 years, Male, Son of Rameshwar Ray, Resident of Mohalla Bajitpur Makhdumpur, Digha, P.S Digha, District Patna (Owner of the Motorcycle bearing Registration No. BR01BD 5285).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2019 Heard both sides.

Petitioner apprehends his arrest in Special Case No.2781 of 2019, arising out of Digha P.R Case No.251 of 2019, registered under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

The informant alleged that seeing the police, petitioner fled away after leaving his motorcycle bearing Registration No.BR01BD 5285. On search 48 bottles of Indian made foreign liquor each containing 375 ml. were recovered from the bags tied on the back side of the motorcycle.

Learned counsel for the petitioner submits that petitioner is of course the owner of the vehicle but petitioner was not driving the vehicle.



It appears that it was the informant who saw the petitioner fleeing away after leaving his motorcycle and thereafter the motorcycle of the petitioner was searched from where 18 litres of Indian made foreign liquor was recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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