

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26107 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

Baliullah Khan @ Balullah Khan @ Md. Balullah Khan, Son of Md. Abbas Khan, Resident of Village - Jhiktiya, P.S.-Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-07-2019 This is an application for grant of anticipatory bail in connection with Jagdishpur P.S. Case No. 512 of 2018, disclosing offence under Section 30(a) of the Bihar Prohibition Act, 2016.

As per prosecution story, there is recovery of one Bolero Pick-up and petitioner is said to be the owner of the said vehicle.

Submission of the learned counsel for the petitioner is that he has given the vehicle on rent and he has no knowledge about the carrying of liquor in his vehicle.

Heard learned A.P.P. also who has opposed the prayer for bail by stating that the transporting the liquor by vehicle is also an offence under the new Bihar Prohibition and Excise Act and the petitioner happens to be the owner of the said vehicle.



As such, he is not deserved for anticipatory bail.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail and produce any paper showing that he has given the vehicle to other person on rent, the same shall be considered by the learned court below while considering the bail application of the petitioner, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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