

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30302 of 2019

Arising Out of PS. Case No.-587 Year-2018 Thana- GANDHIMAIDAN District- Patna

VISHAL KUMAR @ MURGIYA GOPE Son of Nepali Sao @ Rameshwar Prasad @ Rameshwar@ Nepali Prasad Resident of Mohalla- Daldali Road, Shalimpur Ahra, P.S.- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2019 Heard both sides.

The petitioner apprehends his arrest in Gandhi Maidan P.S. case No. 587 of 2018, corresponding to Spl. Case No. 11011/ 2018, registered under Section 30(a) of the Bihar Prohibition & Excise Act.

The A.S.I. Gandhi Maidan P.S. saw the petitioner driving E- rickshaw but after seeing the police the petitioner managed to flee away. On search 11 bottles, each containing 375 ml Royal Stag whiskey, were recovered from the E- rickshaw of the petitioner.

The learned counsel for the petitioner submits that petitioner is not the owner of E- rickshaw but it appears from perusal of contents of the FIR that E- rickshaw was registered in



the name of petitioner and it was the petitioner who was driving the E- rickshaw.

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

(Prabhat Kumar Jha, J)

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