

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39835 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- BHANGHA District- West Champaran

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Sujeet Kumar Giri Son of Sri Parmanand Giri, Resident of Village- Inarwa,
P.S.- Bhangaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-06-2019 Heard both sides.

The petitioner apprehends his arrest in Bhangaha P.S.

Case No.13 of 2019 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The S.S.B. (Sashastra Seema Bal) official saw a
person coming from the side of Nepal on a motorcycle and he
was carrying a black coloured bag but when he was asked to
stop, the motorcyclist fled away leaving the bag and motorcycle.
On search, 20 bottles of whisky were covered. The case was
registered against the owner of the motorcycle.

Learned counsel for the petitioner submits that of
course the petitioner is the owner of the motorcycle but the
motorcycle of the petitioner was stolen just before the
occurrence and the petitioner immediately thereafter came to



know that his motorcycle was seized by S.S.B.

It appears from the contents of the F.I.R. that the petitioner was driving the motorcycle and he was carrying liquor but seeing the police force the motorcyclist fled away leaving the bag and motorcycle from which 20 bottles of whisky were recovered.

Having considered 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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