

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42914 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- BAHADURGANJ District- Kishanganj

UMA SHANKAR RAUT Son of Radha Krishna Raut Resident of Village -
Kothiya (Jalwara), P.O.- Kothiya, P.S.- Keoti, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Spl. Case No.162/2019 (C.I.S. 162/2019 arising out of Bahadurganj P.S.Case no.143 of 2019) dated 25.5.2019 registered for offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2016..

Prosecution story is about recovery of 234 ltrs. of foreign liquor from the Scorpio Vehicle of the petitioner.

Submission of the learned counsel for the petitioner is that as a matter of fact he had handed over the vehicle to his friend and he was not present there as well as he has no criminal antecedent.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that the recovery is from the Scorpio of the



petitioner, as such there is *prima facie* case against the petitioner. .

Having heard both sides and 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 is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit and if possible to be disposed of on the same day..

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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