

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44695 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- MANJHAGARH District- Gopalganj

RAJBALI BIN, son of Late Lorik Bin, resident of village- Tiwari Matihania,
P.S.- Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-07-2019 The petitioner apprehends his arrest in connection with
Manjhagarh P.S.Case No. 96 of 2019 registered under Sections
30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

Allegation against the petitioner, as per FIR, is that the
police, upon information, arrived in the village near the pond of
Vinod Singh and found one pick up van standing there and after
search, altogether 383 litres illicit foreign liquor was recovered
from the vehicle.

Learned counsel for the petitioner submits that petitioner
is innocent and has been implicated falsely in this case. Learned
counsel submits that at the time of seizure, neither petitioner
nor any person on his behalf was present near the vehicle,
however, he admits that he is owner of the vehicle.

After having heard learned counsel for the parties and



taking into consideration the fact that illicit liquor has been recovered from the vehicle of the petitioner and on perusal of FIR a *prima facie* case under the Act is made out against the petitioner. Therefore, in view of the Full Bench judgment passed in Cr. Appeal (SJ) No. 431 of 2019, I am not inclined to exercise my discretion for grant of privilege of anticipatory bail to the petitioner as such the same is rejected.

(Anil Kumar Sinha, J)

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