

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45290 of 2019

Arising Out of PS. Case No.-278 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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MD ANJUM ALAM Son of Md Shaid Resident of Village - Rampara, P.S.-
Nagar, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nadimul Hasan
For the Opposite Party/s : Mr.Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-07-2019 Heard both sides.

The petitioner apprehends his arrest in Case No.C1-278 of 2018 registered under Section 30(a) of Bihar Prohibition and Excise Act.

The police intercepted a vehicle bearing registration No.BR11GA-4411 and recovered 287.520 liters of different brands of Indian made foreign liquor. The driver of the vehicle was arrested but the petitioner as disclosed by the informant managed to flee away from the vehicle.

The learned counsel for the petitioner submits that petitioner is of course owner of the vehicle but he had given the vehicle to Chotu Kumar Paswan to ply him on hire on 18.12.2017 and it was driver who was carrying the liquor but



from perusal of prosecution report, it appears that petitioner was also sitting in the vehicle and at the time of search, the petitioner managed to flee away from the vehicle and the driver was arrested.

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

If the petitioner surrenders in the court below, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

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