

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58571 of 2019

Arising Out of PS. Case No.-242 Year-2019 Thana- DEHRI TOWN District- Rohtas

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Dharmendra Singh @ Chhangur, aged about 36 years, Male, Son of Shiv Narayan Singh, Resident of Village Suba Bigha, P.S. Dehri (Town), District Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-09-2019 Heard Mr. Bikramdeo Singh, the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in Dehri (Town) P.S. Case No.242 of 2019, registered under Sections 30(a), 35 and 38 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The informant alleged that on secret information that one person had parked a Hundai Car bearing Registration No.BR24-2775 near Lalmati Petrol Pump on G.T. Road and he was waiting for trader of liquor, the car was seized. One person who tried to flee away was also apprehended. The apprehended accused disclosed his name as Sangam Prasad and another person also disclosed his name as Raj Amar @ Bittu Kumar. On search of the vehicle, liquor was recovered and on their disclosure a godown



said to have belonged to the petitioner was raided and huge quantity of liquor was recovered from the godown. It also transpired that the petitioner was also involved in illegal trade of liquor along with the apprehended accused.

Learned counsel for the petitioner submits that the petitioner is not the owner of the godown. The godown was let out to the apprehended accused and other persons and petitioner had no knowledge about the articles kept in the godown. Of course the godown is situated by the side of the house but this fact itself does not show the involvement of the petitioner in the illegal trade of illicit liquor but it appears from perusal of the FIR that there is specific inputs and on such the vehicle was seized. Two persons were apprehended. From the vehicle huge quantity of liquor was recovered. The apprehended accused disclosed that the petitioner and others had kept huge quantity of liquor in the godown of the petitioner for sell in the market.

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

(Prabhat Kumar Jha, J)

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