

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60965 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

UMESH KUMAR MANDAL Son of Late Bhuwan Lal Yadav @ Bhuwan Lal
Mandal Resident of Mohalla-near Patna Art Gali, Mirchaibari, P.S.-Amdabad,
District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-10-2019 Heard Mr. Pankaj Kumar Sinha, learned counsel for
the petitioner and the learned A.P.P.

The petitioner apprehends his arrest in Muffasil P.S.
Case No.207 of 2019 registered under Sections 30(a) of Bihar
Prohibition and Excise Act.

The informant saw a Hundai car and found two
persons including the driver sitting inside the car. The vehicle
was parked in front of the farm house of late Mahesh Paswan
but after seeing the police vehicle, the accused persons
including the driver managed to flee away. On search, 101.67
liters of Indian made foreign liquor of different brands was
recovered.

The learned counsel for the petitioner submits that



petitioner is the owner of the vehicle. Petitioner was not apprehended on the spot and nothing has been recovered from the conscious possession of the petitioner but it appears that two persons including the driver of the car was sitting inside the car but seeing the police both the persons including the driver of the vehicle fled away. It was the petitioner who owned the car and could not explain satisfactorily about the recovery of huge quantity of liquor from the car.

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 regular bail of the petitioner without being prejudiced by the order of this Court preferably on the same day.

(Prabhat Kumar Jha, J)

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