

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60656 of 2019

Arising Out of PS. Case No.-354 Year-2017 Thana- RAJAOLI District- Nawada

JITENDRA KUMAR Son of Upendra Yadav Resident of Village - Kali
Bigha, P.S.- Giryak, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Arbind Kumar Pandey (App 84)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

The petitioner apprehends his arrest in Rajauli P.S.
Case No.354 of 2017 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The informant alleged that petitioner was driving a
motorcycle and when the informant signaled him to stop, the
petitioner fled away after leaving the motorcycle on the spot.
Search was made and from the dickey of the motorcycle, 9
packets each containing one liter of counter made liquor was
recovered.

The learned counsel for the petitioner submits that
petitioner was not driving the motorcycle but it appears from the
F.I.R. itself that it was petitioner, who is the owner of the
vehicle, was driving the motorcycle and it was he who was



carrying liquor in the dickey of the motorcycle.

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

(Prabhat Kumar Jha, J)

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