

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75903 of 2018

Arising Out of PS. Case No.-603 Year-2018 Thana- BARACHATTI District- Gaya

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Jitendra Kumar @ Jitendra Kumar Chaurasiya Son of Hiranman Chaurasiya @
Hirawan Chaurasiya Resident of Village-Deo Barai Bigha, P.S. Deo, Distt.
Aurangabad Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Barachatti P.S. Case No. 603 of 2018 for the offence
punishable under Sections 272 and 273 of the Indian Penal Code
and Sections 30(a), 38 and 47 of the Bihar Prohibition and
Excise Act, 2016.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has not committed any
offence. In fact, nothing has been recovered from the conscious
possession of the petitioner. The petitioner happens to be the
owner of the alleged vehicle and his vehicle has been hired by
the driver. He has no concern with the alleged recovery. Hence,



the petitioner may be granted the privilege of anticipatory bail.

Learned counsel appearing for the State has opposed the prayer for bail and submitted that the total 1400 litres of Spirit were recovered from the alleged vehicle and the petitioner is owner of the vehicle. The quantity of the recovery is of commercial in nature.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Arvind Srivastava, J)

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