

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61912 of 2019

Arising Out of PS. Case No.-133 Year-2017 Thana- DAUDPUR District- Saran

Shivdhar Chaurasiya, Son of Late Vindachal Chaurasiya, R/o -
Mahammadpur, P.S.- Manjhi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-09-2019 This is an application for grant of anticipatory bail in connection with Daudpur P. S. Case No. 133 of 2017, disclosing offences under Sections 272, 273, 420 and 120B of IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. the police got a secret information that carrying of huge quantity of liquor, on that police raided the place and found the Container bearing No. UP- 70 BT-3113 and also a Maruti Suzki Bagnor bearing No. DL-90P-4270 and huge quantity of liquor has been recovered from the container and more than 1986.84 liters of liquor has been recovered from the Maruti Suzki Bagnor. Petitioner happens to be the owner of Maruti Suzki Bagnor.

Submission of the learned counsel for the petitioner is that Bagnor is a commercial vehicle and he has given the same to a driver, who in collusion with some miscreants was engaged



in the business.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that petitioner is owner of the vehicle, from which, there is recovery of liquor.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered from the vehicles, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he may surrender before the learned court below and make prayer for regular bail and produce any document showing that he has handed over the vehicle to the driver, as it is a commercial vehicle, the learned court below shall consider the same while passing an appropriate order.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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