

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66354 of 2019

Arising Out of PS. Case No.-260 Year-2019 Thana- BANIAPUR District- Saran

=====

Pankaj Choudhary @ Pankaj Kumar Chaudhary, Male, 21 years, Son of Rajendra Chaudhary, Resident of Village Dhangarha Tola, Gopalpur, P.S. Baniyapur, District Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Ram Bachan Singh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-10-2019 Heard both sides.

The petitioner apprehends his arrest in Baniyapur P.S.
Case No.260 of 2019, registered under Section 30(A) of the Bihar Prohibition and Excise Act.

The informant, S.I. of Baniyapur P.S., intercepted a motorcycle on which two persons were coming but both the motorcyclists fled away leaving the motorcycle on the spot. One carton filled with bottles of Indian made foreign liquor was found tied with the carrier of the motorcycle. 48 bottles each containing 180 ml. of Indian made foreign liquor were recovered. One of the motorcyclists Sandeep Kumar who was apprehended while fleeing away disclosed the name of the petitioner, Pankaj Choudhary. It was Pankaj Choudhary who was owner of the motorcycle and he was driving the motorcycle. It is further alleged that one Bolero



was also intercepted and from the Bolero jeep bearing Registration No.JH05K-1311, 244 bottles containing Indian made foreign liquor were recovered.

Learned counsel for the petitioner submits that the petitioner is the owner of the motorcycle. The police demanded all the papers. The petitioner also showed the papers with regard to the motorcycle but police demanded money and when the petitioner did not pay money, the petitioner has falsely been implicated in the case. Small quantity of liquor i.e. about 8 litres was recovered but it appears from the FIR itself that it was petitioner who is the owner of the motorcycle and he was driving the motorcycle on which a carton was tied from which 48 bottles of Indian made foreign liquor was recovered.

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)

S.KUMAR/-

U		T	
---	--	---	--

