

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64828 of 2019**

Arising Out of PS. Case No.-400 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Md. Jalil, Son of Md. Salim, Resident of Village- Tarwara Kurmtola, Police
Station- G. B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 17-10-2019 This is an application for grant of anticipatory bail in

connection with G.B. Nagar P. S. Case No.400 of 2018,

disclosing offences under Sections 30(a) (c), 38, 41(i) of the

Bihar Prohibition and Excise Act, 2018.

There is recovery of 226.800 liters of liquor from the

Pick-up van and petitioner is said to have driver of the vehicle.

Submission of the learned counsel for the petitioner is

that he is not the driver of the vehicle and he has falsely been

implicated in this case, only on the suspicion.

Heard learned A.P.P. also who has opposed the prayer

for anticipatory bail on the ground that petitioner is driver of the

pick-up van.

Having heard both sides, in view of the allegation and

the quantity of the liquor recovered from the pick-up van, I am



not inclined to grant privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and make prayer for regular bail. The Special Judge shall verify the materials available in the case diary as there is specific case of the petitioner that he is not the driver of the pick-up van and considering the same, dispose of the application, without being prejudiced by order of this Court.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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