

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65078 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- BRAHMPUR District- Buxar

MAHESH SAH Son of Chote Lal Sah Resident of Village - Kharahatar, P.S.-
Simri, Distt - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-10-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Brahmpur P.S.Case No.18/19 registered for offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2016.

As per FIR, the police got information that several persons are engaged in the liquor trade and on that information, the police raided the place of the occurrence and found three vehicles from there and arrested three accused persons and one another accused succeeded in fleeing away, who is the petitioner. It further appears that the petitioner is owner of one of the vehicles and huge quantity of liquor has been recovered. Apart from that it appears that the petitioner was accused in one more case.



Submission of the learned counsel for the petitioner is that his name transpired on the confessional statement and he is not owner of the vehicle.

Heard learned A.P.P. , who has opposed the prayer for stating that there is allegation that there is vehicle of the petitioner as well as there is recovery of liquor and he is accused in one more case.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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