

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77940 of 2018

Arising Out of PS. Case No.-243 Year-2018 Thana- GUTHANI District- Siwan

Rajesh Kushwaha S/o Indrasan Prasad Kushwaha, R/o Vill.- Bhatwaliya, P.S.-
Kotwali, District- Deoria U.P.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-01-2019 Petitioner apprehends his arrest in connection with

Guthani P.S.Case No. 243 of 2018 registered for the offences

punishable under Sections 30(a), 38(1) and 41(1) of Bihar

Prohibition and Excise Act.

Allegation as per FIR is of recovery of 397.440 litres

of foreign liquor from the Scorpio vehicle and two persons have

been arrested who have named this petitioner stating that liquor

belongs to him.

Submission of learned counsel for the petitioner is

that except confessional statement there is nothing against him

and he is owner of vehicle having no criminal antecedent.

Heard learned APP also.

Having heard both sides and in view of recovery of

huge quantity of liquor, I am not inclined to grant privilege of



anticipatory bail, rather petitioner to surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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