

Arising Out of PS. Case No.-28 Year-2019 Thana- BELA INDUSTRIAL District-
Muzaffarpur

... .. Petitioner

The State of Bihar

... .. Opposite Party

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Surendra Kumar

ORAL ORDER

The petitioner apprehends his arrest in connection with Bela P.S. Case No. 28 of 2019, registered under Sections 272, 273, 414 and 120(B) of the Indian Penal Code and Section 30(A), 38(1), 41(1) of the Bihar Prohibition and Excise Act, 2016, pending in the court of the Special Judge, Excise, Muzaffarpur.

The accusation is that on receiving secret information about parking of 10 wheeler truck in the campus of Balaji Agro Chemical Factory loaded with illicit liquor situated at Bela Industrial Area, the informant along with other Police personnel reached there then found the main gate of the factory was locked from inside. Thereafter, informant and other Police



personnel, anyhow, entered into the campus then found one 10 wheeler truck bearing registration No. HR55S-6311 along with two pick up vans, motorcycle and Alto Car. On query, Anil Kumar disclosed that the liquor loaded on the truck was carried to disburse to several places loading on smaller vehicles and Raushan Kumar @ Golu, Nanaki Mithai, Rajesh Kumar and Raushan Kumar succeeded to flee away and he disclosed that he did not know the names of owner of Alto car, truck and motorcycle. He also disclosed the name of Jaiprakash Kumar (Petitioner) as owner of the factory. On search of truck, pick up van, Alto Car and motorcycle 427 cartons containing 3790.08 liters of Indian made foreign liquor recovered.

Learned counsel appearing on behalf of petitioner submits that while petitioner is the owner of the factory, but he was not found there and he had no knowledge about parking of the truck and other vehicles by the guard and other person in the campus of the factory for illicit liquor business.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial



Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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