

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72705 of 2019

Arising Out of PS. Case No.-174 Year-2019 Thana- HATHUA District- Gopalganj

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EKHLAKH AHAMAD Son of Maksud Miya Resident of Village-Kalyanpur,
Police Station-Bhore, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Hathua P.S. Case No. 174 of 2019, registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

As per F.I.R police got information of carrying liquor by a vehicle chased the vehicle but the driver and other persons sitting on the vehicle trying to flee away but one of the accused person was arrested and other managed to flee away. There is recovery of huge quantity of liquor from the vehicle and petitioner is said to be owner of the vehicle.

Submission of the learned counsel for the petitioner is that he was not present there, driver was carrying the vehicle and he has no criminal antecedent.

On the other hand, learned A.P.P. has opposed the bail



prayer of the petitioner stating that petitioner was also there and one persons was succeeded in fleeing away.

Having heard both sides, in view of the allegation as discussed 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 shall be considered on the basis of material available on record without being prejudiced by order of this court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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