

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81798 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- AMBA District- Aurangabad

Ranjeet Kumar Mishra, Son of Ajay Kumar Mishra @ Ajay Mishra, Resident of Village - Brahamoriya Khurd, P.S.- Bishrampur, District - Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is alleged that three persons were travelling in a Hundai car bearing Registration No. JH01N-6141 from which 12 litres of Indian Made Foreign Liquor and 10 litres of beer were recovered. The FIR was registered against those three apprehended persons but subsequently, it was found that the vehicle in question was registered in the name of the petitioner.

It is submitted by learned counsel for the petitioner that admittedly the petitioner was not present in vehicle at the time of seizure, hence, was not aware about three persons being carrying



liquor and petitioner under agreement sold the vehicle in question to one of the apprehended co-accused. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the vehicle which was registered in the name of the petitioner.

Considering the fact that admittedly the recovery was not made from the possession of the petitioner and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Amba P.S. Case No. 92 of 2019, pending in the Court of learned Additional Sessions Judge-VII -cum- Special Judge (Excise), Aurangabad.

It is expected from the learned Court below to dispose of the application preferably on the same day.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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