

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.923 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- ASANWA District- Siwan

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SANJAY YADAV Son of Sharda Yadav @ Shardanand Yadav Resident of
Village - House No. 3, Sahsraon, P.S.- Asaon, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 03-09-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Asaon P.S. case No. 112/2019 registered under Section 272, 273, 308 of the IPC and u/s 30(a), 38 of the Bihar Prohibition & Excise Act.

The informant got secret inputs that petitioner and three others were coming on a Bolero vehicle bearing registration No. UP53W 7099 from Mairwa Mania Canal bridge. The informant informed the higher officials and proceeded to intercept the vehicle. The petitioner and other three occupants of the vehicle after seeing the police manage to flee away from the vehicle. About 147 liter illicit liquor was recovered from the vehicle.



The learned counsel for the petitioner submits that petitioner is not the owner of the vehicle. Save and except statement of the informant there is absolutely no evidence against the petitioner but it appears that many other persons who arrived at the place of occurrence disclosed that it was the petitioner who managed to flee away from the vehicle.

Taking into consideration the fact that it was the petitioner who was carrying illicit liquor on a Bolero vehicle, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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