

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6427 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- KEWATI District- Darbhanga

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Dilip Kumar Yadav, (Male), aged about 26 years, Son of Sri Ram Bhuvan Yadav @ Ram Bhuvan Yadav Resident of Village - Dalawa, P.S.- Keoti, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate
For the State : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Keoti PS Case No. 83 of 2019 dated 03.06.2019 instituted under Sections 30 (a)/38(1)/41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that his motorcycle was caught near a truck on which there was 792 cartons of liquor and from his motorcycle, one carton was recovered.

4. Learned counsel for the petitioner submitted that the recovery was not from the conscious possession and that it was a market place where he had parked the motorcycle and he



is not aware as to how liquor cartons were kept in his motorcycle.

5. Learned APP submitted that the recovery being from next to the truck on which huge quantity of liquor was found and even from the motorcycle of the petitioner one carton of the said liquor having been recovered, the petitioner cannot plead innocence.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to allow the prayer for anticipatory bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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