

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5415 of 2020

Arising Out of PS. Case No.-1262 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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RAGHBHANDRA KUMAR @ MOHAN CHOUDHARY @ MOHAN KUMAR CHOUDHARY, aged about 23 years, son of Prem Shankar Choudhary, Resident of Village - Darhar, P.S.-Bahadurpur, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with G.O. Case No. 1262 of 2019/ P.R. Case No.41 of 2019, registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The Police has intercepted a vehicle, from where about 79.560 litres of foreign liquor has been recovered.

Learned counsel for the petitioner submits that the petitioner had no knowledge about the liquor, which was there in the Dicky of the vehicle and it is the Police personnel, who have placed the liquor in the Dicky of the vehicle.



The submission of learned counsel for the petitioner appears to be an absurd submission as the Police cannot place such a high quantity of liquor in the Dicky of the vehicle without the information of the petitioner. It would be possible to place one or two bottles of liquor in the Dicky of the vehicle but, not such a high quantity of liquor.

In such view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected. However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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