

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6423 of 2020

Arising Out of PS. Case No.-374 Year-2019 Thana- BIDUPUR District- Vaishali

Rajesh Kumar Singh (Male) aged about 30 years, Son of Shivrath Singh
Resident of Village - Sitalpur Kamalpur, P.S. - Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the State : Mr. Sanjay Kumar Sharma, APP

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 Bidupur PS Case No. 374 of 2019 dated 27.09.2019
instituted under Sections 30(a)/38 of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. The allegation against the petitioner is that from
his vehicle 631 litres of illicit liquor has been recovered.

4. Learned counsel for the petitioner submitted that
the recovery was not from the conscious possession of the
petitioner as he was not caught on the vehicle and further that
the driver and *khalasi* of the vehicle, even if found to be in
possession of such liquor, was not with the permission or in the



knowledge of the petitioner.

5. Learned APP submitted that the petitioner has to take responsibility as he was the owner of the vehicle from which illicit liquor has been recovered.

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)

Anjani/-

AFR/NAFR	
U	
T	

