

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12024 of 2020

Arising Out of PS. Case No.-124 Year-2018 Thana- PIPRAHI District- Sheohar

=====

Pramod Sah Son of Ram Ballabh Sah Resident of Village - Bara Farid, Ward
No. 06, Kharuhi, P.S.- Kundwa Chainpur, District - East Champaran,
Motihari. Petitioner/s

Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Piprahi P.S. Case no. 124 of 2018 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, while checking of
vehicles were going on, a Bolero vehicle was signalled to stop.
However, the driver of the said vehicle turned the vehicle
towards Piprahi and the same was chased by the police. It is
thereafter stated that he abandoned the vehicle and taking
benefit of the darkness managed to escape. On search of the
vehicle, in presence of two independent witnesses 2942 bottles
of nepali liquor i.e a total of 885 litres was recovered from the
said vehicle.



It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor has any incriminating article been recovered from his possession. He has been falsely implicated in the case only for the reason that he happens to be the owner of the vehicle of which the driver is Sanjay Shah. It is further submitted that he has been implicated only on the basis of confessional statement of co-accused Sanjay Shah. He has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the fact that 2942 bottles of nepali liquor is stated to have been recovered from the vehicle of which the petitioner is the registered owner, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application for bail is rejected.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

