

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12072 of 2020

Arising Out of PS. Case No.-334 Year-2019 Thana- SARAIYA District- Muzaffarpur

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SUSHIL KUMAR YADAV @ UMESH RAI S/o- Late Ramashray Rai, R/o-
Village- Basantpur Patti, P.S. - Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Prakash Shharma
For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State through the virtual court proceeding.

In this case, the petitioner is seeking anticipatory bail
in connection with Saraiya P.S. Case No.334 of 2019 registered
for offence punishable under sections 272, 273, 414/34 of the
Indian Penal Code and sections 30(a), 32 (ii), 38(ii), 41(i) of the
Bihar Prohibition and Excise Act, 2016.

In the present case, the Police has intercepted a truck
bearing Registration No.MP09HF-3937, AC Magic bearing
No.BR06CA 6364 and a Pick-up van bearing No.BR1AH 7840
and on search, 6168.600 litres of illicit foreign liquor has been
recovered from there.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case, as no



recovery has been made from the conscious possession of the petitioner and the name of the petitioner has come during investigation on the basis of statement of local Chowkidar on account of previous enmity with him.

Looking to the huge quantity of liquor and the fact that during investigation, the name of the petitioner has transpired to be involved in the illegal trade of liquor, this Court is not inclined to grant bail to the petitioner.

Accordingly, this bail application is dismissed.

(Shivaji Pandey, J)

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