

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16036 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- MANIGACHI District- Darbhanga

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DHANANJAY KUMAR Son of Ramkumar Gupta R/o Village- Nirmali Ward
No. 10 Shubhash Chowk, Supoul, P.S.- Nirmali, District- Supoul (Owner of
the vehicle).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anupa Nand Jha

For the Opposite Party/s : Mr.Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Manigachi P.S. Case No. 269 of 2019 registered for the
offence under Sections 30(a) of the Bihar Prohibition and Excise
Act.

Learned counsel for the petitioner submits that the
petitioner, who is of clean antecedent, is innocent and has not
committed any offence. In fact, nothing has been recovered
from the conscious possession of the petitioner. Although the
recovery has been made from the vehicle of the petitioner but
the same was driven by on Putul Paswan who hired the vehicle
of the petitioner in some emergency. Therefore, the petitioner



has no concern with the alleged recovery of the illegal liquor.
The petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that total 425 liters of Nepali wine has been recovered from the vehicle of the petitioner, which is evident from the seizure list. The seized quantity of liquor appears to be commercial in nature. Therefore, the petitioner may not be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Arvind Srivastava, J)

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