

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14044 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- ALOULI District- Khagaria

ANSHU RAJ S/o Rajaram Ray R/o Ward No. 03, P.C.C. Road, Near
Bhagwati Mandir, Gangraho Mohanpur, P.S.- Bakhri, District- Begusarai.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Arjun Prasad, Advocate.

For the State : Mr. Md. Mushtaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Allouli P.S. Case No.09 of 2020/G.R. No.94 of 2020
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018, pending in the court of the 2nd Additional
Sessions Judge-cum-Special Judge, Excise Act, Khagaria.

The accusation is of recovery of 96 bottles, each
containing 180 ml., 40 bottles, each containing 375 ml. and 20
bottles, each containing 750 ml., liquor from the Pickup Bolero
vehicle bearing Registration No.BR09H/9946. The paper
regarding the ownership of the vehicle was also recovered from
the vehicle, in which the name of the petitioner as the owner of



the seized vehicle was detailed.

Learned counsel appearing on behalf of the petitioner submits that, admittedly, the petitioner is the owner of the seized Pickup Bolero vehicle but on the date of the occurrence, the vehicle was being driven by the Driver Kundan Kumar Sahni. The petitioner had no knowledge about keeping the liquor by the driver in his vehicle.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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