

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14039 of 2020

Arising Out of PS. Case No.-343 Year-2019 Thana- SOHSARAI District- Nalanda

SUBHAS KUMAR Son of Sri Suresh Yadav @ Suresh Singh Resident of
Mohalla - Sahokhar, P.S.- Sohsarai, District – Nalanda.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr .Md.Imteyaz Ahmad, Advocate.
For the State : Mr. Pushpa Sinha-1, 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 Sohsarai P.S. Case No.343 of 2019 registered under
Sections 30(a), 38 and 56(d) of the Bihar Prohibition and Excise
Act, 2016, pending in the court of the Additional Sessions
Judge-III-cum-Special Judge (Excise), Nalanda at Biharsharif.

The accusation is that on receiving the information
about carrying the liquor loading on Wagon R vehicle by Subhas
Kumar (petitioner) to his garage, situated at Sahokhar, the
informant along with other police personnel reached there. On
seeing the police party, two persons, who were present near the
Wagon R vehicle and the motorcycle, started to flee away. On



chase, one was apprehended, who disclosed his name as Md. Shaheb, son of Md. Kallu Quraishi, while another succeeded to flee away. Md. Shaheb disclosed the name of another person, who succeeded to flee away, as Subhas Kumar (petitioner). On search of the Wagon R vehicle, found at the garage of the petitioner, bearing Registration No.JH10AT-6004, 144 bottles, each containing 375 ml., and 94 bottles, each containing 750 ml. Indian Made Foreign Liquor, were recovered. 16 bottles, each containing 375 ml. Rum, and 4 bottles, each containing 750 ml. Magic Moment Bodka, were also recovered from the Wagon R vehicle.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot nor he is the owner of the seized Wagon R vehicle. In fact, the seized Wagon R vehicle was brought at the garage of the petitioner for repairing.

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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