

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18486 of 2020

Arising Out of PS. Case No.-259 Year-2019 Thana- BIRAUL District- Darbhanga

Vijay Kumar Singh @ Bijay Singh S/o Late Ram Chandra Singh Resident of
Village-Darbepur, P.S.-Biraul, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-09-2020 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 Biraul P.S. Case no. 259 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on information having been received about illicit liquor being transported by trucks, a search was conducted and two cartons of liquor was recovered from the Mahindra vehicle being used by the petitioner for transporting liquor.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the FIR are false and concocted. From perusal for the order of the learned Court below it would transpire that the vehicle in question does not belong to the



petitioner instead one Singh Kumar Rakesh Bachcha of Nashik (Maharashtra) is its registered owner. The petitioner has no criminal antecedent.

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

The case diary had been called for in the case which has been received.

Having heard learned counsel for the parties and on perusal of the contents of the case diary it transpires that a number of witnesses including those whose statement have been recorded in paragraph nos. 5, 12 and 55 as also in the supervision report have all stated that the truck in question was being used by the petitioner for transportation of illicit liquor. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and thus the application is rejected.

(Partha Sarthy, J)

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