

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16677 of 2020

Arising Out of PS. Case No.-397 Year-2019 Thana- SARAI District- Vaishali

CHHOTU KUMAR RAY @ CHOTTU KUMAR RAI S/o Lakhan Ray R/o
Village- Laguraw, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Kapildeo Rai, ASI, P.S.- Sarai, District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Paswan, Adv.
For the Opposite Party/s : Mr.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-10-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Informant is the police officer, who in his written complaint has alleged that on receipt of secret information that illicit liquor has been kept in a motorcycle parked at Ranipokhar Pethia, he reached said place and found a motorcycle parked and 1.485 litres of country made foreign liquor was recovered from the dicky of motorcycle and thereafter seizure list was



prepared and the motorcycle belongs to Chhotu Kumar (petitioner).

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on suspicion. Nothing was recovered from his conscious possession. Petitioner has no criminal antecedent.

Allegation is recovery of 1.485 litres of country made foreign liquor from the dicky of motorcycle of petitioner, as such anticipatory bail application is not maintainable and is accordingly dismissed.

However, if petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merit without being prejudiced by this order.

(S. Kumar, J)

veena/rajiv-

U		T	
---	--	---	--

