

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22239 of 2020

Arising Out of PS. Case No.-343 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

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RAJESH PASWAN, Aged about 34 years, Male, Son of Punit Paswan,
Resident of Village- Near Aditya Hotel Agrawal Bangles, Khuskibagh, P.S.-
Sadar, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Uday, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-08-2020 Heard Mr. Ram Prawesh Kumar, the learned counsel

appearing on behalf of the petitioner and Mr. Kumar Uday, the

learned Additional P.P. on the petition.

The petitioner apprehends his arrest in C-1 Case
No.343/2019, registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant, Excise Inspector, was on routine
checking of the vehicle. During the course of checking, the
informant found one Mahindra Alfa Plus Auto bearing
Registration No.BR11D-6654 and on search 64.350 litres of
Indian made foreign liquor of different brands was recovered.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. Neeraj Kumar Rai was



driving the vehicle. The petitioner had already sold the vehicle before the date of occurrence to one Gyasuddin after receiving the consideration amount of Rs.80,000/- but the owner book was not transferred and, therefore, the petitioner has been made accused in the case.

Admittedly once the owner book stands in the name of the petitioner, the petitioner is the owner of the vehicle and from the vehicle of the petitioner, 64.350 litres of different brands of Indian made foreign liquor was recovered.

Taking into consideration the facts, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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