

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.169 of 2020

Arising Out of PS. Case No.-144 Year-2019 Thana- HATHUA District- Gopalganj

1. VICKEY KUMAR Son of Dayanand Singh, Resident of Village- Turkpatti, P.S.- Hathua, District- Gopalganj.
2. Vishal Kumar Son of Late Rajeshwar Singh Resident of Village- Turkpatti, P.S.- Hathua, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-06-2020 Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Hathua P.S. Case No.144 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant alleged that he saw two persons coming on motorcycle and after seeing the police both persons fled away leaving the motorcycle and bag hanging on the motorcycle. On search of the bag, 40 litres of liquor was recovered.

Learned counsel for the petitioners submit that from perusal of the seizure list, it would appear that Hathua P.S. Case No.144 of 2019 was registered on 30.07.2019 but the seizure list



was prepared on 29.07.2019. It is good work of the police that on the first page of the F.I.R., it appears that Hathua P.S. Case No.144 of 2019 was registered on 29.07.2019 but the police official on the seizure list gave the date as 30.07.2019 for registration of the F.I.R. but from the facts, it appears that the petitioners were carrying 40 litres of country made liquor from the motorcycle but they managed to flee away after seeing the police.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Harish/-

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

