

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82743 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Bishundeo Singh, aged 43 years (M), son of Mahesh Singh, resident of
Village - Premganj Lalganj, P.S.- Lalganj Distt - East Chamaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-01-2020

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

2. The petitioner apprehends arrest in connection with
C2A Case No.136 of 2019 dated 16.09.2019 instituted under
Sections 30(a), 32(i), (iii), 41(i) of the Bihar Prohibition and
Excise Act, 2016.

3. The allegation against the petitioner is that from his
pickup van 3604.680 litres illicit liquor has been recovered.

4. Learned counsel for the petitioner submitted that he
was not on the pickup van and had no connection with the same.
It was further submitted that though the allegation is of recovery
of papers relating to ownership of the pickup van in his name,
but the pickup van did not belong to him.

5. Learned APP submitted that if the petitioner denies



that the vehicle caught did not belong to him, there is no explanation as to how the ownership paper of the vehicle showed him to be the owner, in which all his personal details with regard to parentage and address have been correctly written. It was submitted that if the petitioner has no connection with the entire episode then there cannot be any occasion for his name and details to be found in the pickup van which are correct in all aspects relating to his identity. Learned counsel submitted that, in fact, if the pickup van did not belong to the petitioner and still the ownership paper showed him to be owner, it would be another criminal act on his part as he has to explain with regard to creation of such false ownership document.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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