

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12361 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- GOH District- Aurangabad

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Dharmendra Saw Son Of Ram Chandra Sao Resident of Village - Kutti, P.S.-
Mehandiya, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Anil Kumar Sinha, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-11-2021 Heard the parties.

The petitioner apprehends his arrest in connection with Goh P.S. Case No. 99 of 2020 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that co-accused Lokesh Sao @ Lokesh who is the driver of Tempo, has been granted anticipatory bail and the petitioner being the owner of the vehicle deserves bail on that account.

Mr. Jharkhandi Upadhyay, learned APP for the State, submits that it is the owner of the Tempo, who is responsible for transportation of the illicit liquor and he should not be granted anticipatory bail. Prima facie case is made out against the petitioner.



In view of the allegations levelled against the petitioner, this anticipatory bail application is not maintainable in view of the judgment of the Full Bench of this Court in the case of *Ram Binay Yadav Vs. The State of Bihar* reported in [2019 (2) PLJR 1089 (Full Bench)].

Accordingly, it is dismissed as not maintainable.

(Sandeep Kumar, J)

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