

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21253 of 2021**

Arising Out of PS. Case No.-36 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

=====

BISWAJEET KUMAR @ VISHWAJEET KUMAR Son of Dayanand Singh
Resident of Village - Turpatti, P.S.- Hathwa, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv
For the Opposite Party/s : Mr. Asha Devi, APP

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 15-12-2021 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 19.01.2021 seeks
bail in connection with Excise Case No. C-III Case No. 36 of
2021 registered for offences punishable under Section 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

Prosecution case in brief is that the driver of Corolla
car bearing Reg. No. DL3CAM-0383 was apprehended carrying
86 litres of Indian made foreign liquor which was recovered
from the dickey of the said car kept in 10 cartoons.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is the driver of the seized car from which
86 litres of Indian made foreign liquor was recovered. It is



further submitted that the owner of the said car had asked him to deliver the said 86 litres of Indian made foreign liquor to the required destination and he has no criminal antecedent and as such he may be released on bail.

Learned APP appearing on behalf of the State submits that in the present application, the petitioner has not mentioned as to whether who is the owner of the stolen car bearing Reg. No. DL3CAM-0383 and as such the petitioner is under suspicion as to whether he has stolen the said car belonging to some other person in the State of Delhi and as such the petitioner does not deserve to be released on bail.

Considering the above mentioned facts and circumstances of the case and there being no statement made by the petitioner regarding the ownership of the seized stolen vehicle neither he has stated that he is the owner of the said vehicle, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is dismissed.

(Purnendu Singh, J)

Niraj/-

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

