

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34091 of 2020

Arising Out of PS. Case No.-61 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

BANAI PASWAN Son of Late Sheetal Paswan Resident of village - Subhai,
Police station - Vaishali, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachin Kumar

For the Opposite Party/s : Mr. V. S. Modi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-04-2021

Heard both sides.

The petitioner apprehends his arrest in Bochahan PS case No. 61/2020 registered under Section 272,273 of the IPC and u/s 30(a) 32(ii) of Bihar Prohibition & Excise Act.

The informant alleged that in the night patrolling he got secret inputs that a loaded truck bearing registration No. RJ05GA-2727 is parked near Jalsa Line Hotel, Aadigopalpur village on NH-57. The informant on such information went to the Line Hotel and apprehended two persons, Ritlal Sahni and Prakash Kumar, the driver and the cleaner of the truck. 2172 liters of beer and 1341 liters of Indian made foreign liquor were recovered. The driver and the cleaner of the truck disclosed that consignment was brought by Guddu Paswan and Banai Paswan.

The learned counsel for the petitioner submits that ownership of the truck is standing in the name of Indu Devi. Indu Devi is wife of Guddu Paswan. Petitioner is father of Guddu Paswan. The petitioner is living separately from his daughter-in-law and he has got no manner of concern with the



family affairs of his son or daughter-in-law but from perusal of the records, it appears that ownership of the truck is standing in the name of Indu Devi who happens to be daughter-in-law of the petitioner and wife of Guddu Paswan, son of the petitioner. Although Indu Devi is owner of the truck but the driver and the cleaner of the truck immediately after being arrested disclosed the fact that petitioner and his son, Guddu Paswan, brought the consignment of liquor for sale.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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