

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36771 of 2020

Arising Out of PS. Case No.-321 Year-2020 Thana- AURANGABAD TOWN District-
Aurangabad

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Deepak Kumar @ Deepak Gupta, aged about 38 years (Male), S/o Sheo Kumar Sao, R/o village- Rehla Kala, Bishrampur, P.S.- Rehla, District- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2021 Mr. Bachan Jee Ojha, the learned counsel for the petitioner and Mr. Kalyan Shankar, the learned Additional P.P. through video conferencing.

The petitioner apprehends his arrest in Aurangabad (T) P.S. Case No.321 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The police got information that a pick-up van was carrying huge quantity of liquor. On such, raid was conducted. The pick-up van bearing Registration No. JH03M/2165 was search and 1240 litres of Indian made foreign liquor was recovered.

Mr. Bachan Jee Ojha, the learned counsel for the petitioner submits that the petitioner is owner of the vehicle. The



petitioner handed over the vehicle to his driver on daily wages but the driver illegally loaded the liquor without the knowledge of the petitioner, but it appears that many cartons were found loaded in the pick-up van and bottles of Indian made foreign liquor were kept in the cartons and huge quantity, i.e., 1240 litres of liquor was recovered. Petitioner is the owner of the vehicle and the witnesses disclosed that with consent of the petitioner, the driver of the vehicle was carrying liquor.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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