

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5572 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- DEHRI TOWN District- Rohtas

ASHOK YADAV Son of Suryadeo Singh Resident of Village- Subba Bigaha,
P.S.- Dehri (T), District- Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-11-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Dehri (T) P.S. Case no. 150 of 2020 instituted for the
offence punishable under Section 30(a) of the Bihar Prohibition
an Excise Act, 2016.

As per allegation in the FIR, acting on a tip off, police
reached near double story old office of crusher u nit, which
belongs tot he petitioner and found that one person fleeing away,
whose name was disclosed as of the petitioner by the Choukidar.



On search, police seized 10084 bottles of illicit liquor each containing 180 ml.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious physical possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that the petitioner is registered owner of the stone crusher, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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