

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7700 of 2022**

Arising Out of PS. Case No.-152 Year-2020 Thana- VAISHALI District- Vaishali

Shubham Kumar Pandey Son Of Virendra Pandey Resident Of Village - Pauni  
Hasanpur, P.S. Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravish Mishra  
For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-08-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

There is recovery of 30.045 litres of Indian made foreign liquor from a motorcycle. The petitioner is owner of the seized motorcycle.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious



possession of the petitioner.

Considering the fact that petitioner is owner of the motorcycle, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the petition is disposed off with a direction to the learned Court below to consider the prayer for regular bail of the petitioner, without being prejudiced by the order of this Court, if the petitioner surrenders within a period of four weeks from today and prayer for regular bail.

**(Sunil Kumar Panwar, J)**

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