

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13764 of 2022**

Arising Out of PS. Case No.-134 Year-2021 Thana- DEO District- Aurangabad

Deepak Kumar Son Of Rajendra Singh R/O Village- Kajhpa, P.S.- Amba,
District- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari
For the Opposite Party/s : Mr.Nand Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner apprehends his arrest in Deo P.S. Case
No. 134 of 2021, registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

9 litres of country made liquor has been recovered
from motorcycle of this petitioner.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. In fact, at the relevant
time, the motorcycle in question was taken away by the friend
of petitioner and without his consent and knowledge used his
vehicle for transporting the illicit liquor. Petitioner has got clean
antecedent, as stated in para 3 of the petition.



Counsel for the State vehemently opposed the bail application and submitted that petitioner is registered owner of vehicle in question.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected in view of the provision 76(2) of the Bihar Prohibition and Excise Act.

(Prabhat Kumar Singh, J)

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