

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15943 of 2022

Arising Out of PS. Case No.-793 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

MAHADEO RAI S/o Dhanuklal Rai Resident of Village- Teriasiya, P.S.-
Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

15 liters country-made liquor has been recovered from the motorcycle of the petitioner.

It is submitted that nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C. with regard to search and seizure. Petitioner has got clean antecedent.

However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail and submitted that petitioner is registered owner of the motorcycle, from which, recovery has been made.



Considering the fact that recovery has been made from the motorcycle of the petitioner, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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