

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19620 of 2022

Arising Out of PS. Case No.-382 Year-2019 Thana- ARARIA District- Araria

Md. Mustafa @ Mustafa Son of - Late Israfil @ Late Israfil @ Late Israfil
Ansari R/o Village - Hariabara, Ward No.- 12, P.S. and District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Jha

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Araria (Bairgachi OP) P.S. Case No. 382 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

103.480 litres of foreign liquor has been recovered from Scorpio vehicle of which this petitioner is registered owner.

It is submitted that nothing has been recovered from conscious possession of this petitioner. Petitioner is neither driver nor owner of vehicle in question. Petitioner has got clean antecedent.

Counsel for the State vehemently opposed the bail



application and submitted that during course of investigation it has come that petitioner is registered owner of vehicle in question.

Considering the fact that petitioner is registered owner of vehicle, 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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