

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31513 of 2022

Arising Out of PS. Case No.-401 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

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AMBIKA PRASAD SAW @ AMBIKA SAW Son of Late Rohan Saw
Resident of Village-Mohalbani Basti, P.S.-Sudamdih, District-Dhanbad
(Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-09-2022 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 the Bihar Prohibition & Excise Act.

Total 1381 liters 680 ml. of foreign liquor has been recovered from a pick-up van (Tata 401), of which, this petitioner is registered owner.

It is submitted on behalf of petitioner that alleged vehicle has already been sold by this petitioner to one Bajrangi Sao much prior to the alleged incident, for which, a sale agreement has been annexed as Annexure, and petitioner has got no concern with the alleged recovery, nor anything has been



recovered from his possession. Petitioner has got clean antecedent.

However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that petitioner has not brought on record Transfer Certificate of said vehicle, issued by the District Transport Officer and merely on the basis of copy of sale agreement, the plea of the petitioner cannot be accepted.

Fact remains that petitioner is registered owner of the pick up van, from which, illicit liquor has been recovered.

Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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