

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42797 of 2021

Arising Out of PS. Case No.-246 Year-2019 Thana- JANDAHA District- Vaishali

Kuldeep Singh S/O Khushi Ram R/o village- Gorakhpur, P.S.- Bhanu,
District- Fatehabad (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sachida Nand Rai, Advocate
For the Opposite Party : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 24-03-2022 Heard the parties.

The petitioner apprehends his arrest in connection with Jandaha P.S. Case No. 246 of 2019 registered for the offence under Section 414 of the Indian Penal Code and Sections 30(a), 38(i), 41(i) of the Bihar Prohibition and Excise Act, 2018.

There is huge recovery of 3746.6 litres of liquor and the petitioner is the truck owner.

Most of the liquor syndicates working in the State of Bihar are being controlled by the criminals of States of Punjab, Haryana and Rajasthan and after the vehicle is caught, they take a plea that they are owners of the vehicle and they have nothing to do with the illegal consignment and only driver is said to be involved in illegal smuggling of the liquor.



No ownership documents of the vehicle have been annexed with this application by the petitioner and despite indulgence given by this Court, he has not been able to produce any document.

In the opinion of this Court, in such cases, anticipatory bail application is not maintainable in view of the judgment of the Full Bench of this Court in the case of *Ram Binay Yadav Vs. The State of Bihar* reported in [2019 (2) PLJR 1089 (Full Bench)]. Accordingly, it is dismissed as not maintainable.

Petitioner is directed to surrender in the court of learned Additional District & Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur within four weeks from today and pray for regular.

(Sandeep Kumar, J)

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