

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33803 of 2022

Arising Out of PS. Case No.-573 Year-2021 Thana- MAHUA District- Vaishali

SANJEEV KUMAR @ OM PRAKASH KUMAR S/o Akhilesh Ray Resident
of Ward No.- 6, Vill- Mahua Singh Ray, P.O. Mahua, P.S.- Mahua, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 30a and other sections of
the Bihar Prohibition and Excise Act.

As per the prosecution case, 43 liters illicit liquor was
recovered from the Alto car of which petitioner is the registered
owner.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. At the relevant time, vehicle in question was being
used by some other person without petitioner's knowledge and
consent. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way



connected with the aforesaid recovery. Petitioner has got no criminal antecedent.

Learned counsel for the State submits that the recovery of illegal liquor has been made from the car of which petitioner is the registered owner, as such, he cannot escape responsibility.

Considering the nature of the allegation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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