

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35310 of 2022

Arising Out of PS. Case No.-76 Year-2019 Thana- JALALGARH District- Purnia

SHARWAN KUMAR YADAV S/O- TEJ NARAYAN YADAV RESIDENT
OF VILLAGE- BELA RIKABGANJ, P.S.- K. NAGAR, DISTRICT-
PURNEA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 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 Sections 272/273 of the IPC and Section 30(a) of the Bihar Prohibition & Excise Act.

406 liters of foreign liquor has been recovered from a Mahindra Bolero pick-up, of which, this petitioner is registered owner.

It is submitted on behalf of petitioner that alleged vehicle has already been sold by this petitioner much prior to the alleged incident and in support of the same, he has annexed one Sale Agreement at Annexure 2. Petitioner has got no concern with the alleged recovery nor anything has been recovered from his possession.



However, learned A.P.P. for the State vehemently opposed the prayer for bail and submitted that huge quantity of illicit liquor has been recovered from a vehicle, of which, this petitioner is registered owner and he 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.

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

(Prabhat Kumar Singh, J)

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