

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46061 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- BARAUNI District- Begusarai

UDAY NARAYAN TIWARI Son of Late Ram Chandra Tiwari Resident of
128/350 Shankaracharya Nagar, Kidwainagar, Kanpur, Police Station-
Naubasta, (Kanpur), Nagar, District- Kanpur, State- Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Nand Jha

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Barauni, Zeromile P.S. Case no. 257 of 2020 instituted for
the offence punishable under Sections 30(a), 41(1)(2) of the
Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 2671.2 litres
IMFL has been recovered from a truck of which petitioner is
registered owner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. He has got no criminal antecedent.



Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and taking into consideration that the alleged vehicle belongs to the petitioner, from where recovery of huge quantity of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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