

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39091 of 2022

Arising Out of PS. Case No.-513 Year-2020 Thana- KANTI District- Muzaffarpur

Bachu Rai Son Of Sahdev Ray Resident Of Village - Madhuban, Ramnath
Dhamauli, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 272,
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition & Excise Act.

There is recovery of 7240 litres of spirit from a
pick-up-van. The petitioner is the driver of the alleged
seized pick-up-van bearing registration No. BR-06-GD-
5929

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely been



implicated in the present case. It is further submitted that petitioner is not named in F.I.R. and his name sprang up during investigation. It is also submitted that petitioner is not apprehended from spot. Nothing has been recovered from the conscious possession of petitioner. It is also submitted that the vehicle in question has been running on hire basis and co-accused Jitendra Rai has hired the seized vehicle for transporting his goods. A statement has been made in para 3 of the petition that petitioner has clean antecedent.

Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer of petitioner and submitted that petitioner is the driver of the aforesaid vehicle which shows the involvement of the petitioner in trade and selling of illicit spirit.

Considering the fact that petitioner is driver of the alleged pick-up-van bearing registration No. BR-06-GD-5929 from which huge quantity of illicit spirit was recovered, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the



petitioner stands rejected.

(Sunil Kumar Panwar, J)

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