

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52322 of 2021

Arising Out of PS. Case No.-279 Year-2021 Thana- JAKKANPUR District- Patna

SURESH CHOUDHARY Son of Late Gudagi Choudhary Resident of Village
- Shivaji Nagar, Purani Jakkanpur, P.S.- Jakkanpur, Distt.- Patna. (Owner of
the motor Cycle Bearing regd. No.BR01DQ-0832)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2022 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 Jakkanpur P.S. Case no. 279 of 2021 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of 2.88 litres
liquor from the motorcycle of the petitioner.

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 illegal liquor has been made, I am not inclined to grant bail to the petitioner.

This application stands disposed off.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on the basis of meager quantity of recovery.

(Sunil Kumar Panwar, J)

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