

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48344 of 2022

Arising Out of PS. Case No.-219 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

Chhotu Kumar Son of Shivji Soni Resident of Village - Kateyan, P.s.- Bihian,
Distt.- Ara (Bhojpur).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Ms.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Durgawati P.S.
Case No. 219 of 2021, registered for the offence punishable
under Sections 30(a)/41(a) of the Bihar Prohibition and Excise
Act, 2018.

311 litres of Indian made foreign liquor has been
recovered from a pick-up van of which this petitioner is
registered owner.

It is submitted that nothing has been recovered from
conscious possession of this petitioner and without his
knowledge and consent. Without the knowledge and consent of
the petitioner the said vehicle was used in transporting the illicit
liquor. Petitioner has got clean antecedent, as stated in para 3 of



the petition.

Counsel for the State vehemently opposed the bail application and submitted that recovery has been made from the vehicle of this petitioner.

Considering the fact that huge quantity of liquor has been recovered from vehicle of this petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected in view of the provision 76(2) of the Bihar Prohibition and Excise Act.

(Prabhat Kumar Singh, J)

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