

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49433 of 2022

Arising Out of PS. Case No.-167 Year-2021 Thana- MUSAHARI District- Muzaffarpur

RAKESH KUMAR Son of Shivchandr Rai Resident of village - Nehalpur,
P.S.- Minapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 272/273/34 and u/s 30 (a)/ 36/41 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 4374.360 liters of foreign liquor has been recovered from a truck of which this petitioner was registered owner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner and he is no way concerned with the alleged recovery. It is further submitted that on the date of occurrence petitioner was not the owner of vehicle in question and only on the basis of registration



certificate he has been made accused in this case. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submitted that huge quantity of foreign liter has been recovered from a truck of which this petitioner was registered owner.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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