

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72133 of 2022

Arising Out of PS. Case No.-185 Year-2021 Thana- SAHAR District- Bhojpur

GUDDU RAY @ GUDDU KUMAR Son of Bhagwan Ray @ Shri Bhagwan Ray Resident of village - Purdil Ganj Kayam Nagar, P.S.- Koilwar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 208.875 liters of foreign liquor is said to have recovered from the pickup van. He submits that allegation against the petitioner is that he is the driver of the said pickup van. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.



Learned A.P.P. for the State opposes the prayer for bail and submits that the allegations levelled against the petitioner is serious in nature. Therefore, he does not deserve anticipatory bail.

Considering the facts and circumstance of the case and the fact that petitioner is the driver of the pickup van, I am not inclined to enlarge the petitioner in connection with Sahar P.S. Case No. 185/2021.

Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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