

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48374 of 2023

Arising Out of PS. Case No.-270 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

GURVINDER SINGH Son of Gurjant Singh Resident of village - Machki
Kalan, P.S. - Faridkot, Distt. - Faridkot (Punjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Kochadhaman P.S. Case No. 270 of 2021 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a), 32, 41, 47 of the Bihar Prohibition and Excise Act, 2016, pending in the Court of learned Additional District Judge, 2nd -cum-Special Judge (Excise)-1, Kishanganj.

3. As per the prosecution case, a truck was stopped by the informant team for checking, on search, 5319.36 liters of illicit foreign liquor was recovered from truck. The petitioner is the owner of the said truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has no knowledge about the act of the driver. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is the owner of the said truck and the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the fact that huge quantity of liquor was recovered from the truck of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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