

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56515 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- JOKIHAT District- Araria

MD. ABBAS @ MD. ABBAS ALAM SON OF MD JAINUDDIN
RESIDENT OF VILLAGE - SHYAMPUR BALUA DEORHI WARD NO.12,
P.S. - PLASI, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 31-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. As per prosecution case, 3.2 liters cough syrup was recovered from the motorcycle.
4. Learned counsel for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner and motorcycle in question has already been sold by this petitioner to one Md. Aslam one week prior to the alleged incident. Petitioner claims clean antecedent.
5. However, learned A.P.P. for the State opposes the prayer for bail and submits that though petitioner claims that he



had sold the motorcycle in question but there is no transfer certificate issued by the District Transport Officer on the record and as such he cannot escape liability for the same.

6. Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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