

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72293 of 2022

Arising Out of PS. Case No.-101 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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BHAGWANT SINGH Son of Khajan Singh Resident of Village and P.S.-
Ranike, District- Amritsar, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Srivastava, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Sahebpur Kamal P.S. Case No. 101 of 2018 for the offence
registered under Sections 420, 467, 468, 414, 120(B) and 34 of
the Indian Penal Code and Sections 30(A), 32, 27 and 41(1) of
the Bihar Prohibition and Amendment Excise Act.

As per the prosecution story, on secret information a
truck was raided and 3326.4 litres + 882 litres totalling with
4208.4 litres were recovered/seized. Accordingly, the FIR was
lodged.

Learned counsel for the petitioner submits that he is
the owner of the truck, an aged person of 68 years, do not have



criminal antecedent, is ready to abide by all the terms and conditions and further had no knowledge that his vehicle is being used for transportation of liquor which is banned in Bihar.

Learned APP for the State, on the other hand, submits that the quantity of the seized liquor does not warrant extension of relief, so far as the anticipatory bail is concerned.

Taking into account the kind of recovery/seizure that has come against the petitioner, so far as the anticipatory bail is concerned, this Court does not deem it fit and proper for grant anticipatory bail, which is accordingly rejected.

If the petitioner however, surrenders within four weeks from today, the concerned Court shall take into account the submission put forward by the learned counsel for the petitioner that he is an aged person, do not have criminal antecedent and will disposed it off expeditiously.

(Rajiv Roy, J)

Jagdish/Neha/-

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