

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72740 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- GOVINDPUR District- Nawada

Sunil Yadav S/O Heman Yadav Village- Kamalpur, Ps. Govindpur, Dist.
Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Govindpur P.S. Case No. 144 of 2023 dated 05.07.2023,
instituted for the offence punishable under Section 30(a)/41 of
the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 10 litres liquor
from the motorcycle of the petitioner bearing registration no.
BR27H-2184.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner is the owner of the
said motorcycle. It is next submitted that petitioner has neither
any concern with the seized liquor nor he has been arrested at



the spot. It is submitted that nothing has been recovered from the conscious possession of the petitioner. It is submitted that the co-accused namely Rohit and Akhilesh were arrested with the seized liquor and motorcycle. It is submitted that the petitioner is a compounder in village Sorha, which is native village of co-accused namely Rohit and Akhilesh and on the day of occurrence they came to the petitioner on the pretext of urgency and forcefully took away his motorcycle despite opposition of the son of the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Since the illicit liquor has been recovered from the motorcycle of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Khatim Reza, J)

Sankalp/-

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