

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73305 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

CHHOTE SINGH @ JITENDRA KUMAR S/O LATE DINESH SINGH @
LATE DINESH SHARMA Resident of Village- Akbarpur, P.S.- Hilsa,
District- Nalanda. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Makhdumpur P.S. Case No. 08 of 2020 corresponding to
Excise Case No. 26/2020 under section 30(A), 32(2) and 41(1)
of Bihar Excise Prohibition Act.

As per the prosecution story, the police upon
information, started checking vehicles and in course whereof, a
blue container vehicle having Rajasthan registration number
was intercepted, although the persons present in the vehicle
tried to escape, they were apprehended and upon search,
altogether 2031 litres of foreign liquor was/were
recovered/seized. Accordingly, the FIR.

Subsequently, the apprehended persons disclosed



that the container was coming from Delhi and was to be delivered to one Vicky of Transport Nagar and it was the petitioner herein who was to hand over the container to Vicky.

Learned counsel for the petitioner submits that his name has come in the confessional statement and he has nothing to do with the alleged recovery/seizure and is ready to abide by all the terms and conditions, if granted relief.

The learned APP on the other hand opposes the prayer stating that there is recovery of 2031 litres of foreign liquor and he has criminal antecedent and as such opposed the prayer.

Taking into account the fact that there is recovery of 2031 litres of foreign liquor and the petitioner has criminal antecedent, this Court is not inclined to grant him the privilege of anticipatory bail which is accordingly rejected.

However, if the petitioner surrenders within four weeks from today and prays for regular bail, the Court concerned shall dispose it of without being prejudiced by any observation made by this Court.

(Rajiv Roy, J)

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