

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25969 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- BAHERI District- Darbhanga

Israil S/O Ummar Mohammad R/O New Secretariat, P.S and Distt.- Kohima,
Nagaland, Permanent Resident of Thekri, P.S- Town, District -Bharatpur,
Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 19-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Baheri PS Case No.50 of 2023 dated 27.02.2023, instituted
under Sections 120-B, 420, 467, 468, 471 of the Indian Penal
Code and Sections 30(a), 32 and 41 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that the police got
secret information about the illicit liquor upon which a raid was
conducted. When the police personnel reached near *Hanuman*
temple, they found that cartons were unloading from the truck
bearing registration No. RJ 06GC 5277 and loading on a pick up
van. A Xylo vehicle was also parked near the said vehicles.



Upon seeing the police party, all the persons tried to run away. They were chased but only two persons, namely, Sonu Kumar and Baidynath Kumar Yadav could be arrested. They named several persons including the petitioner, who were involved in bootlegging. Upon search, total 5999.52 litres foreign liquor was recovered from the truck as well as pickup van apart from cash etc.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. He is the registered owner of the Truck. Nothing has been recovered from his conscious possession.

5. Learned APP has opposed the prayer for bail.

6. Since recovery of foreign liquor has been made from the truck bearing registration No. RJ 06GC 5277, which belongs to the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail.

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

8. The application stands disposed of.

(Khatim Reza, J)

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