

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44044 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- BAISI District- Purnia

Nitish Kumar S/o Umakant R/o Harihar Tola, P.S.-Alam Nagar, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 106.875 litres country made foreign liquor has been recovered from a vehicle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated merely because he happens to be registered owner of the vehicle in question. No incriminating article has been recovered from the conscious possession of this petitioner. It is further submitted that at the relevant point of time, the vehicle was given to one Dara Yadav as he has some personal work and



without the knowledge and consent of this petitioner, the vehicle was being used for transportation of illicit liquor.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of liquor has been recovered from a vehicle of which this petitioner is registered owner and he cannot escape from the responsibilities.

6. Considering the aforesaid facts and circumstances, nature of accusation and huge quantity of liquor that has been recovered from a vehicle of which this petitioner is registered owner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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