

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43863 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Sandesh Kumar Son of Late Algu Singh R/O Village- Ahirpurva, Baligaon,
P.S.- Ayar, Dist.- Bhojpur at Arrah

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Krishna, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Jagdishpur P.S. Case No. 93 of 2024 dated 21.03.2024 instituted for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Allegation is of recovery of total 30 litres illicit country made *chulai* liquor from the scooty bearing Engine No. BK4PP1917194.

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 the petitioner has not been arrested at the spot. Nothing has been recovered either from the possession of the petitioner or from his house. Learned counsel



for the petitioner submits that the petitioner is lawful owner of the seized scooty and he gave the same to one Vijay Kumar Chaudhary on the pretext of some urgent work. The petitioner had no knowledge that the liquor had been transported on the scooty. Learned counsel for the petitioner submits that the petitioner has no concern with the recovered liquor. There is no independent witness in this case. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner stating the petitioner is the owner of the seized scooty from which the liquor was being transported.

6. Since the aforesaid liquor has been recovered from the scooty of the petitioner, who is the registered owner of the same, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly this anticipatory bail application stands rejected.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

