

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49673 of 2024

Arising Out of PS. Case No.-82 Year-2020 Thana- BAISI District- Purnia

SAJAN KUMAR SON OF KAMLESHWARI YADAV RESIDENT OF
ARARIA, P.S. - PARBATA, DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Baisi P.S. Case No. 82 of 2020 instituted under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act lodged on 05.04.2020 by the informant, Rajaram Prasad.

3. As per the prosecution story, the informant alleged that during evening patrolling, upon information, a white colour pickup was intercepted and 333 liters of foreign liquor recovered/seized. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he is owner of the vehicle, had little knowledge what the Driver is doing.

5. Mr. Jitendra Kumar Singh, learned APP on the



other hand has pointed out that the FIR was lodged in the year 2020, admittedly, the petitioner is the owner of the vehicle and in that background despite having knowledge of the case registered against him, came to the Court after four years.

6. This Court cannot overlook the fact that the petitioner’s vehicle has been incorporated in the FIR and both the owner as also the driver have been made accused.

7. In view of the fact that the vehicle was seized by the police, the petitioner had full knowledge of the FIR, still he waited for four years and in that background, the anticipatory bail application stands rejected. If, however, the petitioner surrenders before the court concerned within four weeks from today, the Court concerned shall take into account that he do not have criminal antecedent, is the owner of the vehicle while disposing of the bail application preferably on the same day.

(Rajiv Roy, J)

Ravi/-

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

