

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88683 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

Munna Kumar Son of Suraj sah R/o village- Bajitput Chhipaliya, P.S.-
Bahadurpur, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udeshya Kumar Yadav

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-01-2025 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application for grant of anticipatory bail arises out of Laheriyasara Police Station Case No. 176 of 2023, dated 14.04.2023, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, signalled one white-coloured pick-up van to stop, but two persons, present on the pick-up van, stopped the pick-up van and fled away. On search, the police recovered 923.175 litres of illicit liquor from the pick-up van.
4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the petitioner is the owner as well as driver of the pick-up van and someone may have loaded the same on his pick-up van. He further submits that the petitioner has got no criminal antecedent.

5. Taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the pick-up van and the petitioner is the owner as well as driver of the said pick-up van, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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