

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20594 of 2019

Arising Out of PS. Case No.-878 Year-2018 Thana- DANAPUR District- Patna

PAPPU KUMAR, aged about 23 years, Male, Son of Vijay Kumar Yadav,
Resident of Village - New Mainpura Kharanja Road, P.S.- Danapur, Distt.-
Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Ram Babu Rai, Adv.
For the Opposite Party : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

7 01-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Special Case No. 12183 of 2018 arising out of Danapur P.S.
Case No. 878 of 2018 pending in the Court of the Special Judge,
Excise, Patna, for the offence alleged under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of bottles in volumes
containing 140.670 liters of Indian made foreign liquor from the
Indigo Car, bearing registration no. BR 01BX 0941. A sale
letter was also found in the vehicle which indicates that the said
vehicle was purchased by the petitioner from Abhishek Kumar.

The submission of the learned counsel for the
petitioner is that alleged Indian made foreign liquor was not
recovered from the possession of the petitioner rather the same



is recovered from the vehicle which is purchased by the petitioner from one Abhishek Kumar. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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