

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55346 of 2019

Arising Out of PS. Case No.-186 Year-2019 Thana- OBRA District- Aurangabad

MANOJ YADAV, aged about 45 years, Male, Son of Shivpujan Yadav,
Resident of Village - Obra, P.S.- Obra, District – Aurangabad
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Akhilesh Kumar Pandey, Adv.
For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Obra P.S. Case No. 186 of 2019, CIS No. 751 of 2019, pending
in the Court of the Additional District Judge VII-cum-Special
Judge, Excise, Aurangabad, for the offence alleged under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 48 canes, each
containing 500 ml beer, 4 bottles, each containing 750 ml of
Indian made foreign liquor and 17 bottles, each containing 375
ml of Indian made foreign liquor from the straw house of the
petitioner.

The submission of the learned counsel for the
petitioner is that the straw house of the petitioner is open and
any person can easily access the straw house. 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)

Shamshad/-

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