

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54139 of 2019**

Arising Out of PS. Case No.-249 Year-2019 Thana- MAHUA District- Vaishali

RAJAN KUMAR, aged about 20 years, Male, Son of Shankar Rai, Resident  
of Village - Mahua Singh Rai, P.S.- Mahua, District – Vaishali  
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

**Appearance :**

For the Petitioner : Mr. Anish Chandra, Adv.  
For the Opposite Party : Mr. Syed Ehteshamuddin, APP

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

ORAL ORDER

2      28-08-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with  
Mahua P.S. Case No. 249 of 2019, pending in the Court of the  
Additional Sessions Judge II-cum-Special Judge, Excise Act,  
Vaishali at Hajipur, for the offence alleged under Section 30(a)  
of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of nine cartons, each  
containing 12 bottles of 750 ml of Indian made foreign liquor  
from the house of the petitioner.

The submission of the learned counsel for the  
petitioner is that the petitioner was not present at the house from  
where liquor is said to be recovered at the time of recovery.  
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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