

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54355 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- ISLAMPUR District- Nalanda

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TUNTUN PRASA, aged about 38 years, Male, Son of Amarnath Prasad @
Amarish Prasad @ Amaru, Resident of Village-Korawan, P.S.-Islampur,
District-Nalanda ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Islampur P.S. Case No. 308 of 2019, pending in the Court of the
Additional Sessions Judge III-cum-Special Judge, Nalanda at
Biharsharif, for the offence alleged under Section 30(A) of the
Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 77 bottles, each
containing 750 ml and 40 bottles, each containing 375 ml Indian
made foreign liquor from first floor of the petitioner, in which in
ground floor the flour mill is established.

The submission of the learned counsel for the
petitioner is that at the time of raid of the house of the petitioner,
the petitioner was not present and the house is a joint family
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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