

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62384 of 2019

Arising Out of PS. Case No.-495 Year-2019 Thana- KADAMKUAN District- Patna

RAJU YADAV @ RAJU KUMAR, aged about 42 years, Male, Son of Basu Gope, Resident of Road no.1, Kajipur, P.S.-Kadamkuan, District-Patna
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Adv.

For the Opposite Party : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Spl. Case No. 6850 of 2019 arising out of Kadamkuan P.S. Case No. 495 of 2019, pending in the Court of the Special Judge, Excise, Patna, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On receiving the secret information about storage of the liquor by Raju Yadav and Pappu Yadav at Kazipur Road Quarters, Road No. 1, Kadamkuan, Patna, the informant, along with other police officials, reached there and Pappu Yadav was apprehended. On search of house Pappu Yadav, from the water tank, on the roof, 12 bottles, each containing 750 ml, 45 bottles, each containing 180 ml, 8 bottles, each containing 750 ml Indian made foreign liquor recovered. On query about the about



the house of Raju Yadav (petitioner), Pappu Yadav identified the house. On search of the house of Raju Yadav, 10 bottles, each containing 375 ml, 4 bottles, each containing 350 ml, one bottle containing 750 ml, 12 bottles, each containing 180 ml, 18 pieces of tetra pack, each containing 180 ml Indian made foreign liquor recovered.

Submission is that in fact the roof of petitioner is adjacent to the roof of the co-accused, Pappu Yadav, and the seized liquor, from the roof of the petitioner, was, in fact ,kept by co-accused.

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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