

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67328 of 2019

Arising Out of PS. Case No.-271 Year-2018 Thana- RAHUI District- Nalanda

RUDAL CHAUDHARY, aged about 50 years, Male, Son of Late Daso Chaudhary, Resident of Village - Mallichak (Govardhan Sarai), P.S.- Rahui, Distt.- Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pankaj Kumar, Adv.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Rahui P.S. Case No. 271 of 2018, pending in the Court of the Additional Sessions Judge III-cum-Special Judge, Excise, Nalanda at Biharsharif, registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty the informant and other police personnel received information about selling of liquor by Phula Devi and her husband Rudal Chaudhary (petitioner) in village Malli Chak, informant reached there and started surrounding the house. At that time, while the petitioner succeeded to flee away, but, his wife, Phula Devi, was apprehended and ten liters of country made liquor recovered.

Submission is that the petitioner was not apprehended



on the spot.

On the other hand, learned counsel appearing for the State submits that the petitioner is habitual in selling the liquor and he is accused in two cases, detailed in paragraph 3 of the petition.

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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