

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20124 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- BAKHTIYARPUR District- Patna

SHESH NARAYAN @ SHESH NARAYAN KUMAR Son of Manohar Rai
Resident of Naya Tola Raghopur, Bakhtiyarpur, P.S.- Bakhtiyarpur, Distt -
Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Shailendra Kumar Jha, Advocate.
For the State : Mr. Veena Rani Prasad, A.P.P.

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

ORAL ORDER

2 08-07-2020 In view of the oral submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 15.06.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Special Case No.5373 of 2019, arising out of Bakhtiyarpur P.S. Case No.193 of 2019, registered under Sections 328 and 120(B) of the Indian Penal Code besides Sections 30(a), 30(c)



and 30(d) of the Bihar Prohibition Excise and Amended Act, pending in the court of the Special Judge, Excise, Patna.

It appears from Annexure-2 to this application that Criminal Misc. No.57109 of 2019 was filed on behalf of this petitioner and one Munnu Rai for grant of privilege of pre-arrest bail in connection with the aforesaid case. While on the prayer of the learned counsel for the petitioners, vide order dated 09.09.2019 passed by this Court, the aforesaid Criminal Misc. No.57109 of 2019 was dismissed as withdrawn in respect of the present petitioner, whereas the prayer of the petitioner no.2, namely, Munnu Rai (in the aforesaid Criminal Misc. No.57109 of 2019), for grant of privilege of pre-arrest bail was allowed.

Learned counsel for the petitioner submits that due to wrong impression, at the time of hearing of aforesaid Criminal Misc. No.57109 of 2019 on 09.09.2019, he had sought permission to withdraw Criminal Misc. No.57109 of 2019 in respect of the present petitioner.

Having considered the facts and the circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, the prayer of the petitioner for grant of privilege of pre-arrest bail stands rejected. However, the petitioner is directed to surrender before the trial



court within four weeks from today and pray for regular bail,
which shall be considered by the trial court in accordance with
law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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