

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14070 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- KURSAILA District- Katihar

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DILIP MANDAL @ DILIP MANDAL, aged about 37 years, Male, Son of  
Ramotar Mandal, Resident of Village - Ward o.9, Faridpur, Kharik Bazar,  
P.S.- Kharik, Dist.- Bhagalpur ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Sharma, APP

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

ORAL ORDER

2      12-06-2020                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the state through video  
  
conferencing.

The petitioner seeks pre-arrest bail in connection with  
Kursela P.S. Case No. 8 of 2020, pending in the Court of the  
Additional Sessions Judge II-cum-Special Judge, Excise Act,  
Katihar, registered under Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

The accusation is that in course of checking of the  
vehicle a Sumo Gold, bearing registration no. BR-10PA-1424,  
was seen in fast speed. On giving the signal to stop the vehicle,  
the driver fled away after jumping the vehicle. On search of  
Sumo Gold vehicle 140 bottles, each 375 ml Indian made  
foreign liquor recovered.

Submission is that it would appear from the first



information report that the petitioner was not apprehended on spot and he has been made accused in this case, being the owner of the seized Sumo Gold vehicle, bearing registration no. BR-10PA-1424, from which 140 bottles, each 375 ml said to be recovered. In fact, the vehicle of the petitioner was being driver by the driver on the date of occurrence and petitioner had no knowledge about keeping the liquor by the driver in the vehicle.

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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