

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81633 of 2019

Arising Out of PS. Case No.-219 Year-2019 Thana- RAJNAGAR District- Madhubani

MD. ISLAM NADAF @ MD. ISLAM, aged about 25 years, Male, S/o Late
Navi Jan, R/o village- Mauahi, P.S.- Rajnagar, District- Madhubani
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party : Mr. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

3 09-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state thorough video
conferencing.

The petitioner seeks pre-arrest bail in connection with
Rajnagar P.S. Case No. 219 of 2019 pending in the Court of the
Additional Sessions Judge II-cum-Special Judge, Excise Act,
Madhubani, registered under Sections 272, 273 and 34 of the
Indian Penal Code and 30(a) of the Bihar Prohibition and Excise
Act, 2016.

In course of patrolling duty on receiving the
information about carrying the liquor loaded in a Bolero vehicle,
the informant, along with other police personnel, reached on a
main road at village Bhatsibhar and started the checking of the
vehicle. In the meantime, a Bolero vehicle, bearing registration
no. MH-04AY-1146 was seen coming in fast speed. On giving



the signal to stop, two persons succeeded to flee away leaving the Bolero vehicle. On search, 590 bottles , each containing 300 ml of Nepali liquor recovered.

Submission is that the petitioner was not apprehended on spot and he has been implicated in this case, being the owner of the seized Bolero vehicle. Admittedly, the petitioner is the owner of the seized Bolero 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/-

U		T	
---	--	---	--

