

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32213 of 2020

Arising Out of PS. Case No.-100 Year-2020 Thana- KUTUMBA District- Aurangabad

DEEPAK KUMAR S/o Ramratan Yadav R/o village- Lakhna, P.S.- Kutumba,
District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad
For the Opposite Party/s : A.P.P.

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

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 27.11.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kutumba P.S. Case No. 100 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act, pending in the court of the learned Additional Sessions Judge-VII-cum-Special Judge, Excise, Aurangabad.

The accusation is that in course of patrolling duty, informant and other Police personnel gave signal to stop one motorcycle, but motorcycle rider accelerated the speed, when



he was chased, in the way, that person started fleeing leaving the motorcycle and he managed to escape from there taking the advantage of darkness. On search of motorcycle bearing registration No. BR26L-6312, 184 pieces each containing 300 ML, country made liquor, kept in two sacks recovered.

Learned counsel appearing on behalf of petitioner submits that, in fact, the petitioner was in the way on his motorcycle then his motorcycle was checked and Police demanded money, but he could not pay the same and due to that reasons, the motorcycle of the petitioner was seized showing recovery of alleged liquor from his motorcycle.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks 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)

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