

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32059 of 2020**

Arising Out of PS. Case No.-77 Year-2020 Thana- RIVILGANJ District- Saran

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Manoj Choudhary @ Manoj Kumar Choudhary, aged about 25 years (Male),  
Son of Seojee Choudhary, Resident of Village - Pachpatara, P.S. - Revilganj,  
District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate  
For the State : Mr. Abhay Kumar No. 1, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 19-03-2021**

Heard Mr. Awadhesh Kumar Singh, learned counsel  
for the petitioner and Mr. Abhay Kumar No.1, learned  
Additional Public Prosecutor (hereinafter referred to as the  
'APP') for the State.

2. The petitioner apprehends arrest in connection with  
Revilganj PS Case No. 77 of 2020 dated 05.03.2020, instituted  
under Sections 272/273/420/414 of the Indian Penal Code and  
30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016  
(hereinafter referred to as the 'Act').

3. As per the FIR, one Anis Kumar was caught with 20



litres of country-made wine and he disclosed that the same was to be taken to the petitioner.

4. Learned counsel for the petitioner submitted that only the person who has been caught has taken his name without there being any recovery from his house. It was submitted that the petitioner has no connection either with the recovered wine or the motorcycle which was caught. Further, it was submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the allegation by the person caught cannot be brushed aside for the reason that he had no occasion to know about the petitioner as he is a resident of a different village and, thus, what he has stated cannot be said to be false, at least at the present stage. Learned counsel submitted that the petitioner was in the business of liquor.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. However, in view of submission of learned counsel for the petitioner, it is observed that if the petitioner appears before the Court below and prays for bail within four weeks from today, the same shall be considered on its own merits, in



accordance with law, without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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