

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32191 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- TISIAUTA District- Vaishali

PAPPU RAI @ PAPPU KUMAR, Son of Deo Prasad Rai, Resident of Village
- Neela Rukundpur, P.S.- Tisiauta, District – Vaishali ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 05-03-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as pointed out by the office vide
it's note, dated 27.11.2020, within four weeks of starting of the
Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Tisiauta P.S. Case No. 16 of 2020, pending in the Court of the
Additional Sessions Judge II-cum-Excise Court, Vaishali at
Hajipur, registered under Section 30(a)(b)(c) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

On receiving secret information about keeping the
liquor in huge quantity in the house of Pappu Rai (petitioner) of
village Nilo Rukundpur, the informant, along with other police
personnel, reached there and saw one person. On seeing the



police vehicle, that person started to flee away, while he was chased, but, succeeded to flee away. On search of the house of Pappu Rai (petitioner), in between the latrine room and house, several bottles of Indian made foreign liquor in volume of 33 liters recovered.

Submission is that it would appear from the first information report that the alleged bottles of Indian made foreign liquor is not recovered from the house of the petitioner rather the same is recovered from the latrine room of the house of the petitioner.

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 by the trial Court on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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