

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33426 of 2020

Arising Out of PS. Case No.-51 Year-2020 Thana- ASHOK PAPER MILL District-
Darbhanga

Tuntun Roy @ Tuntun Kumar Yadav, S/o Late Upendra Roy, R/O Village -
Dharari, P.S. - Ashok Paper Mill, District- Darbhanga ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Prashant Kumar, Adv.
For the Opposite Party : Mr. Murli Dhar, APP

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

ORAL ORDER

2 12-03-2021 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 07.12.2020, 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
G.O. Case No. 354 of 2020, arising out of Ashok Paper Mill P.S.
Case No. 51 of 2020, pending in the Court of the Additional
Sessions Judge II-cum-Special Judge, Excise Act, Darbhanga,
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The accusation is of recovery of a carton, containing
12 bottles, each of 750 ml of Indian made foreign liquor from a
straw house situated near the house of the petitioner.



Submission is that it would appear that the alleged liquor is not recovered from the house of the petitioner rather the same is recovered from the hut meant for keeping the paddy straw situated in front 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)

Shamshad/-

U			
---	--	--	--

