

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35669 of 2020

Arising Out of PS. Case No.-240 Year-2020 Thana- GHORASAHAN District- East
Champaran

SATISH KUMAR, son of HIRALAL PRASAD, Resident of Village P.S.-
Ghorasahan, District- East Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

2 16-04-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 16.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Ghorasahan P.S. Case No. 240 of 2020, pending in the Court of the Special Judge, Excise Act, East Champaran at Motihari, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On receiving information about keeping the liquor by the petitioner, the house of the petitioner was searched while the petitioner succeeded to flee away. At that time, from the house, on search 36 bottles, each containing of 500 ml, 18 bottle, each



of 375 ml and 7 bottles, each of 180 ml recovered.

Submission is that petitioner has no criminal antecedent and he was not apprehended on spot at the time of search of the house of the petitioner. Further, submission is that the house, which is said to be searched by the informant, is joint family 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** with direction to the petitioner to surrender before the Court below and seek regular bail, which shall be considered by the trial Court on its own merit, without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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