

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34870 of 2020

Arising Out of PS. Case No.-409 Year-2020 Thana- ARARIA District- Araria

SUNIL PASWAN S/o Madan Paswan R/o Village- Bhagat Tola Ward No. 28,
P.S.- Araria, District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava

For the Opposite Party/s : Mr. Nitya Nand Tiwary

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

ORAL ORDER

2 05-04-2021 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 14.12.2020, 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 Araria P.S. Case No. 409 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the court of the learned Additional District Judge-II-cum-Special Judge, Araria.

The accusation is that in course of patrolling duty, one person was seen fleeing having bag in his hand. On chase, the said person threw bag at the Chhaja of the house and managed



to escape from there. When the house of Sunil Paswan (Petitioner) was searched then 12 bottles, each containing 750 ML, and 10 bottles, each containing 500 ML, Indian Made Foreign Liquor recovered from Chhaja.

Learned counsel appearing on behalf of petitioner submits that while it alleged about recovery of bottles of Indian Made Foreign Liquor, kept in a bag, from the Chhaja of house of petitioner, but petitioner has not apprehended there. Further submission is that, in fact, petitioner is accused in similar nature of case, as detailed in para-03, due to that reasons, he has falsely been implicated in this case.

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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