

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33890 of 2020

Arising out of PS. Case No.-25 Year-2007 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

Manoj Sah, aged about 48 years (Male), S/o Kapildeo Sah R/o- Village-
Kharwa Mushar Toli, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the State : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-03-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Devendra Kumar, learned counsel for the petitioner and Mr. Dashrath Mehta, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Excise Case No. 25 of 2007 dated 09.03.2007, instituted under Section 47A of the Bihar Excise Act, 1915.

3. The allegation against the petitioner is that on information received by the police that the petitioner was manufacturing illicit liquor, upon the search of *Chulai Adda* of the petitioner, 70 liters of country-made liquor and 600 kgs. of *Mahua*, was recovered and the petitioner fled away.

4. Learned counsel for the petitioner submitted that he has no connection with the recovered liquor and that he works in



Delhi. It was submitted that due to village politics he has been implicated and he has no criminal antecedent.

5. Learned APP submitted that the recovery has been made from the *Chulai Adda* of the petitioner and, thus, it is obvious that he was indulging in manufacture of illegal liquor. It was submitted that the conduct of the petitioner does not deserve any indulgence as the case is of the year 2007 and the petitioner has been evading the law and even after issuance of non-bailable warrant of arrest on 18.04.2007 when he continued not to appear, process under sections 82 and 83 of the Code of Criminal Procedure, 1973, were issued on 19.09.2019 and thereafter he was declared an absconder on 24.10.2019.

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 disposed off as not maintainable.

(Ahsanuddin Amanullah, J)

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