

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40628 of 2020**

Arising Out of PS. Case No.-29 Year-2019 Thana- GANGABRIDGE District- Vaishali

Sonu Kumar S/o Rajdeo Singh R/o Village- Sahadullahapur, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner

Versus

The Staet of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P

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

ORAL ORDER

2 29-07-2021 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 28.12.2020, 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 through video conferencing.

The petitioner apprehends his arrest in connection with Ganga Bridge P.S. Case No. 29 of 2019, registered under Section 30(A) of the Bihar Prohibition and Excise Act, pending in the court of the learned Additional Sessions-II-cum-Excise Act, Vaishali at Hajipur.

The accusation is of recovery of three cartons, each containing 12 bottles Indian Made Foreign Liquor in volume of 27 litres from the Alto car bearing registration No.BR06H-4806.



Learned counsel appearing on behalf of petitioner submits that petitioner was not apprehended on the spot. Further submission is that, in fact, the seized vehicle, from which 27 litres of Indian Made Foreign Liquor is said to be recovered, was belonging to the petitioner, but before one month of the present occurrence, the petitioner had sold the aforesaid Alto car to Krishna Kumar, son of Kameshwar Prasad Yadav, resident of village-Bishunpur Sevali, P.S. Bidupur, District-Vaishali on 26.01.2018, regarding which an affidavit is sworn by Krishna Kumar, which would appear from Annexure-2.

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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