

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39476 of 2020

Arising Out of PS. Case No.-566 Year-2020 Thana- BIHARSHARIF District- Nalanda

SATYA NARAYAN PRASAD, SON OF YADUNANDAN PRASAD,
RESIDENT OF VILLAGE- NAWADA, GAYA ROAD, GONDAPUR, P.O.
AND P.S.- NAWADA, DISTRICT NAWADA ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Niraj Kumar, Adv.

For the Opposite Party : Mr. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 15-07-2021 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 24.12.2020, 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 Bihar P.S. Case No. 566 of 2020, pending in the Court of the Additional Sessions Judge III-cum-Special Judge, Excise, Nalanda at Biharsharif, registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is of recovery of several bottles of Indian made foreign liquor in volume of 328 liter from the pick-up van, bearing registration no. BR-26GA-7764. At that time, the driver of the pick-up van, Ram Pravesh Kumar, was caught.



Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner was not apprehended on spot rather his name has surfaced being the owner of the seized vehicle from which bottles of Indian made foreign liquor were recovered. The petitioner has no criminal antecedent.

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)

Shamshad/-

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