

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40635 of 2020

Arising Out of PS. Case No.-400 Year-2020 Thana- MANER District- Patna

PAWAN KUMAR @ PAWAN KUMAR SINGH SON OF PARMESHWAR
DAYAL SINGH R/O VILL- PANDEPUR TILHARI, POLICE STATION-
MANER, DISTRICT- PATNA.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar

**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

Maner P.S. Case No. 400 of 2020, corresponding to Special Case

No. 4654 of 2020, registered under Section 30(a) of the Bihar

Prohibition and Excise Act, 2016, pending in the court of the

learned Special Judge, Excise, Patna.

The accusation is that on receiving secret information

about unloading of liquor from the vehicle in village-Tilhari, the



informant along with other Police personnel proceeded for Tilhari village. On seeing the Police party, five persons started fleeing from a godown, while they were chased, but they managed to escape from there. A pickup van bearing registration No. JH01CH-7112 was found parked near by the godown. On search of said pick up van, 32 cartons, containing 384 bottles, in volume of 288 litres Indian Made Foreign Liquor recovered. On search of godown, 10 cartons, containing 466 bottles in volume of 83.88 litres Indian Made Foreign Liquor recovered. On inquiry, the nearby people divulged that the godown is belong to Pawan Kumar (Petitioner).

Learned counsel appearing on behalf of petitioner submits that, in fact, petitioner is not the owner of seized pick-up van from which 32 cartons, containing 384 bottles, in volume of 288 litres Indian Made Foreign Liquor are said to be recovered. Further submission is that the petitioner is the owner of the godown, but, before one month of the incident, he has let out the same by executing the Kiryanama in favour of Golu Kumar, son of Chandra Bhushan Singh, resident of Naga tola Goraiyaasthan, P.S. Maner, District-Patna.

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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