

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40527 of 2020**

Arising Out of PS. Case No.-1473 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

AMARJEET CHAUDHARY, S/o Late Lalbabu Chaudhary Resident of Vill.-
Dadar, P.S.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

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

ORAL ORDER

2 24-07-2021 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 27.12.2020, 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 Ahiyapur P.S. Case No. 1473 of 2019, registered under Section 272 and 273 of the Indian Penal Code and Section 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, pending in the court of the learned Special Judge, Excise Act, Muzaffarpur.

The accusation is that in course of patrolling duty information was received to the effect that Amarjeet Chaudhary (Petitioner) of village-Dadar is doing the business of illicit



liquor then informant along with other Police personnel reached at the door of petitioner. On seeing the Police party, one person started fleeing, while he was chased, but, he succeeded to flee away taking advantage of darkness. On search of house, 06 bottles, each containing 375 ML Indian Made Foreign Liquor recovered. A motorcycle bearing registration No. BR-06AM-7677 was also found parked at the door of petitioner. On search of said motorcycle, two bottles, each containing 375 ML Indian Made Foreign Liquor recovered.

Learned counsel appearing on behalf of petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended from his house. Further submission is that petitioner has no criminal antecedent.

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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