

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1087 of 2021**

Arising Out of PS. Case No.-41 Year-2020 Thana- LAKHISARAI District- Lakhisarai

GAUTAM BIND son of Medni Bind Resident of Village- Arma, P.S.- Kajra,
District- Lakhisarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan
For the Opposite Party/s : Mr. Akhileshwar Dayal

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

ORAL ORDER

2 27-08-2021 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 02.01.2021, 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 Lakhisarai (Kabaiya) P.S. Case no. 41 of 2020, registered under Sections 30(a) and 32(b) of Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty, one Pulsar motorcycle bearing registration No. PB-04AA-9819 was seen parked on the side of the road on which a sack was also found folded. On search of sack, a tube containing 15 litres of



country made liquor recovered.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Further submission is that, in fact, petitioner is the owner of seized motorcycle, which was taken by his friend for urgent work and petitioner was not aware about keeping of illicit liquor on his motorcycle.

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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