

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6196 of 2021**

Arising Out of PS. Case No.-1274 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Manoj Kumar, son of Dwarika Singh, Resident of Village- Ramdihal Tola,
P.S.- Chandi, Distt- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nihar Nandan Ambasta, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-12-2021 Heard learned counsel for the petitioner and Mr. Ganesh
Prasad Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking pre-arrest bail
in connection with Chandi P.S. Case No. 1274 of 2020 registered
for the offence under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

As per the prosecution story, the informant has alleged
that on secret informant a bag containing 15 liters of illicit liquor
was seized from the Hero Splendor Motorcycle by the side of the
road at village Ramdihal Tola under Chandi Police Station at
Bhojpur.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case, the motorcycle
in question belongs to the petitioner from which the illicit liquor
has been seized. Learned counsel submits that petitioner had gone



to his paddy field by standing his motorcycle on the road side and when he return back his motorcycle was not there and when he got knowledge that his motorcycle was taken away by excise police and found that the said motorcycle has been seized along with illicit liquor. Petitioner had no knowledge about the illicit liquor.

Learned A.P.P. for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this court from which it transpires that recovery of 15 liters of liquor has been made from the motorcycle belonging to this petitioner and that the petitioner had fled away leaving his motorcycle when it was intercepted by the excise people, this court is not inclined to grant privilege of pre-arrest bail to the petitioner.

Prayer for pre-arrest bail of the petitioner is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the learned court below within four weeks from today, his prayer for regular bail shall be considered on it's own merit without being prejudiced by the order of this court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

