

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21314 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -MANIHARI District- KATIHAR

Marang Hembram @ Jetha Hembram son of Munshi Hembram, resident of village- Sova Santhali Tola, P.S.- Manihari, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Manihari P.S. Case No. 71 of 2016 registered under Sections 272 and 273 of the Indian Penal Code, Section 47(a)(e) of the Bihar Excise (Amendment) Act and Section 2(e) and 13 of the Bihar Excise (Mahua Flowers) Rules, 2006.

Learned counsel for the petitioner has submitted that the premises from where the alleged recovery is said to have been made does not belong to the petitioner and there is no other criminal case against him.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner. He has

submitted that eleven bags each containing fifty kilograms Mahua, two containers full of Molasses and certain other articles used in manufacturing illicit liquor were recovered from a place said under the possession of the petitioner.

Regard being had to the facts and circumstances of the case, the application preferred under Section 438 of the Code of Criminal Procedure is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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