

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47329 of 2016

Arising Out of PS.Case No. -177 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

Binod Mahto, son of Mandan Mahto, resident of Village- Ambedkar Nagar,
P.S. Chakia, district- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party : Smt. Suman Kumari Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Chakia P.S. Case No. 177 of 2016, registered for the offences
punishable under Sections 272, 273, 290 of the Indian Penal Code
and section 47(a)/53 of the Excise Act, 2016.

Allegedly, in the house of the petitioner raid was
conducted and from there 18 liters illicit country made liquor was
recovered and in the cycle of Raju Chaudhary 18 liters country
made liquor was hanging.

Submission is of false implication and that the
petitioner was not apprehended at the spot, nothing has been
recovered from his conscious possession and, as such, the
petitioner deserves sympathetic consideration.



The learned A.P.P. opposes the prayer of bail by submitting that from the house of the petitioner illicit country made *mahua* liquor was recovered.

In the facts and circumstances as stated above, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Chakia P.S. Case No. 177 of 2016, pending in the Court of learned Chief Judicial Magistrate, Motihari.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

