

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5977 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Sita Devi, wife of Nagendra Turha.
 2. Chanawati Devi, wife of Late Laljeet Turha.
 3. Nagendra Turha, son of Late Laljeet Turha, All are Resident of Village-
Ratwal, Police Station- Chautarwa, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party : Mr. Manoj Kumar – 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Chautarwa P.S. Case No. 04 of 2017, registered for the
offence punishable under Section 30(a) of the Bihar Excise
Prohibition Act 2016.

Allegedly, acting on an information that at the house
of the petitioners illicit wine is being dealt with, raid was
conducted at the house of the petitioners and Sheo Chand Yadav
was caught from the house of the petitioners with 250 ml. liquor
and from the search of the house two liters country made liquor
was recovered.



Submission is of false implication and that no one has seen the petitioners fleeing away, only on the basis of the statement of Sheo Chand Yadav the petitioners have been implicated and, as such, the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes by submitting that from the house of the petitioners' illegal country made liquor was recovered.

In the facts and circumstances as stated above, considering the alleged recovery, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with Chautarwa P.S. Case No. 04 of 2017, pending in the Court of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

(Jitendra Mohan Sharma, J.)

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