

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28416 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -KUDRA District- BHABHUA (KAIMUR)

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Mangal Singh, son of Late Bagedu Singh, R/o Village- Kewadhi, P.S.-
Kudra, District- Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Sri Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
NDPS Case No. 04 of 2017, arising out of Kudra P.S. Case No. 16
of 2017 registered under Sections 30(a)/38(1)(2) of the Bihar
Prohibition and Excise Act, 2016 and 20(b)(ii)(a) of the NDPS
Act.

Regard being had to the recovery of illicit liquor from
the shop of one Suresh Singh, son of the petitioner wherein
accusation have also been made against the petitioner, in the
considered opinion of this Court, the application preferred under
Section 438 of the Code of Criminal Procedure for grant of pre-



arrest is not maintainable in terms of provisions prescribed under
Section 76(2) of the Bihar Prohibition and Excise Act, 2016.
Accordingly, the application is dismissed as not maintainable.

(Ashwani Kumar Singh, J.)

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