

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42263 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- LAXMIPUR District- Jamui

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Krishna Hembram S/O Prakash Hambram, Resident of Village- Dhasnawa,
P.S.- Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-08-2022 Let the defects, as pointed out by the Office, be

removed within a period of two weeks from today.

Heard learned counsel for the petitioner and learned

APP for the state.

Petitioner seeks regular bail in connection with

Laxmipur P.S. Case No. 308 of 2021 alleged under Sections 272
and 273 of the Indian Penal Code and Section 30(a) (d) of Bihar
Prohibition and Excise Act.

As per the prosecution, total 24 litres of Mahua wine

have alleged to be recovered alongwith various aluminium
container with other materials with a view to prepare the wine.

Learned counsel for the petitioner submits that

petitioner was not apprehended from the place of occurrence.

He further submits that his name has figured in this case by

virtue of the confessional statement of the accused. Learned counsel for the petitioner further submits that petitioner is in custody since 01.07.2022 and there is one case pending against the petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that he is the manufacturer of local wine and such manufacturing necessarily to be stopped and with this view, his bail should be rejected.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected. But petitioner is at liberty to move for his bail after framing of charge before the Trial Court and Trial Court shall release him on bail with his own conditions.

(Dr. Anshuman, J.)

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