

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83702 of 2024

Arising Out of PS. Case No.-441 Year-2023 Thana- Excise P.S. District- Madhepura

Rekha Hembram Son of Late Taleshwar Hembram @ Tajo Hembram @ Talo Hembram Resident of Village- Baginiya (Kadam Tola) Ward No.-04, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad , Advocate

For the Opposite Party/s : Mr. Narsingh Tanti , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case , 10 liters country Chulai liquor was recovered from the courtyard of house of the petitioner.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner and she is no way connected with the aforesaid recovery . Petitioner claims clean antecedent.



5. Learned counsel for the State submits that the recovery has been made from the house of the petitioner, as such, this pre-arrest bail petition is not maintainable in view of Full Bench decision of this Court rendered in the case of ***Ram Vinay Yadav vs. The State of Bihar*** reported in ***2019(2) P.L.J.R. 1089 (F.B.)***.

6. Considering the aforesaid decision of this Court, this pre-arrest bail petition is dismissed as not maintainable .

(Prabhat Kumar Singh, J)

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