

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17716 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- ROSERA District- Samastipur

NIRAJ KUMAR MAHTO, Male, aged about 23 years, Son of Dinesh Mahto
Resident of Village - Batha, P.S.,- Rosera, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

The petitioner apprehends his arrest in Rosera P.S.
Case No.371 of 2018 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The informant alleged that he got secret information
that petitioner had kept liquor in his poultry farm. On such
information, the police went to the poultry farm of the petitioner
but petitioner managed to flee away. 148 bottles of Royal Stag
each containing 375 ml. and 94 bottles of Indian made foreign
liquor made in Haryana were recovered from the poultry farm of
the petitioner.

The learned counsel for the petitioner submits that
poultry farm is running by the staff of the petitioner and for the
recovery made from the poultry farm, the petitioner cannot be



held responsible but it appears from the records that the informant got specific information about concealment of foreign liquor by the petitioner in his poultry farm and on such, raid was conducted. Huge quantity of Indian made foreign liquor was recovered. Petitioner has also got criminal antecedent and he is accused in two other cases namely, Rosera P.S. Case No.186 of 2018 and Rosera P.S. Case No.14 of 2019 registered under Section 30(a) and other Sections of Bihar Prohibition and Excise Act.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider the regular bail of the petitioner without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

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