

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26033 of 2019**

Arising Out of PS. Case No.-575 Year-2018 Thana- SAKRA District- Muzaffarpur

RAKESH MAHTO @ RAJEEV RANJAN Son of Maheshwar Mahto,
Resident of Village-Lautan, P.S.-Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Pushpa Sinha. 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 27-09-2019 This application, for grant of anticipatory bail, arises out of Sakra P.S. Case No. 575 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 35(a), 38 and 41 of the Bihar Prohibition of Excise Act, 2016.

Petitioner is named in the F.I.R. with allegation that he has brought huge quantity of liquor on a truck and the truck was intercepted by the police and on recovery of the truck 4449.600 litres of liquor was recovered and petitioner and others succeeded in fleeing away.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case and except he is named in the F.I.R., there is nothing against the petitioner.



Learned counsel for the State opposed the prayer for bail on the ground that in this case huge quantity of liquor has been recovered.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, learned court below shall verify the other materials from the case diary apart from that petitioner is named in the F.I.R and shall pass an appropriate order, if possible on same day, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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