

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28881 of 2019

Arising Out of PS. Case No.-364 Year-2018 Thana- BAIRIYA District- West Champaran

LAXMAN MAHTO @ TIRAI MAHTO Son of Late Asarfi Mahto Resident
of Village - Hat Saraiya Dih, P.S.- Bairiya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-07-2019 This application, for grant of anticipatory bail, arises out of Bairiya P.S. Case No. 364 of 2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 4 litres of liquor from the house of the petitioner.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been implicated in this case

Learned counsel for the State opposed the prayer for bail and submitted that *prima facie* case is made out against the petitioner.

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, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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