

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45636 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- THARTHARI District- Nalanda

MITHLESH YADAV S/O Mahendra Yadav @ Mahendra Prasad R/O Village-
Bhatu Bigha, P.S.- Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-07-2019 This application, for grant of anticipatory bail, arises out of Tharthari P.S. Case No. 39/2019, 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 70 litres of liquor and 40 litres of spirit from the house of the petitioner. Apart from that he is accused in three more cases of similar nature.

Submission of learned counsel for the petitioner is that the house from where, the recovery has been made is a joint and he has falsely been implicated in this case.

Learned counsel for the State opposed the prayer for bail and submitted that there is recovery from the house of the petitioner and apart from that petitioner is accused in three more cases of similar nature, as such, *prima facie* case is made out



against the petitioner.

Having heard both sides, considering the facts and circumstances of the case as well as the fact that petitioner is an accused in three more cases, I am not inclined to grant the privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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