

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58852 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Bechan Mahato @ Sunil Mahato, Son of Kumkum Mahato, Resident of
Kodaria, Ward No. 2, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-09-2019 This is an application for grant of anticipatory bail in connection with Bibhutipur P. S. Case No. 123 of 2019, disclosing offences under Sections 272 & 273 of IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

On the information received by the police, raided the house of the petitioner, who succeeded in fleeing away from the place of occurrence and from the '*Bhusa Ghar*' there is recovery of 288 liters of foreign liquor.

Submission of the learned counsel for the petitioner is that the Bhusa Ghar is not of the petitioner. He has falsely been implicated in this case, having no criminal antecedent.

Heard learned A.P.P. also, who has opposed the anticipatory bail of the petitioner on the ground that recovery is from the Bhusa Ghar of the petitioner and further the police has also received information and thereafter, raided the house of the



petitioner.

Having heard both sides, in view of the allegation and the quantity of the liquor recovered, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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