

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64813 of 2019**

Arising Out of PS. Case No.-187 Year-2019 Thana- MAJHAULIA District- West Champaran

Munna Mahto, Son of Sri Sukdeo Mahto, Resident of Village-Bakhariya  
(Lalsaraiya), Dhangad Toli, P.S.-Majhauria, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Surendra Prasad Singh

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

2      17-10-2019                      This is an application for grant of anticipatory bail in connection with Majhauria P.S. Case No. 187 of 2019, disclosing offences under Sections 30(a), 37 (c) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. there is recovery of 10 liters of liquor from the house of petitioner and there is recovery from other accused persons also.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case. Further submission is that other accused persons from whose house recovery has been made, has been granted bail by a Co-ordinate Bench of this Court, vide order dated 29.07.2019 passed in Criminal Misc. No. 46907 of 2019.

Heard learned A.P.P. also who has opposed the prayer



for bail stating that recovery is from the house of the petitioner as well as he is accused in one more case.

Having heard both sides, in view of the recovery, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail which will be considered by the learned court below on its own merit, without being prejudiced by order of this Court, and if possible, to be disposed of on the same day.

With the aforesaid, this application is disposed of.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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