

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78163 of 2019

Arising Out of PS. Case No.-313 Year-2019 Thana- BAKHARI District- Begusarai

Mukesh Mahto @ Mukesh Kumar Mahto, son of Ram Badan Mahto, resident of village - Makhachak, P.S. - Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 09-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Bakhri PS Case No.313 of 2019 dated 08.10.2019 instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that from his semi constructed house, 48 pieces of 180 ml Imperial Blue; 10 pieces of 180 ml Royal Stag and 18 pieces of 375 ml Royal Stag have been recovered.

4. Learned counsel for the petitioner submitted that other than this case there is no criminal antecedent. It was submitted that the house was open and not fully constructed and



thus, the recovered liquor did not belong to him and somebody else had kept it there without knowledge or permission of the petitioner.

5. Learned APP submitted that from the house of the petitioner liquor having been recovered, he does not deserve privilege of anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

J. Alam/-

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