

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78745 of 2019

Arising Out of PS. Case No.-374 Year-2019 Thana- PATLIPUTRA District- Patna

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AJAY MAHTO Son of Ram Bhajan Mahto Resident of Mohalla - Gosaitola,
P.S.- Patliputra, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivek Anand Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Patliputra P.S.Case No.374 of 2019 dated 28.8.2019 registered for offences punishable under Sections 285/420 of the Indian Penal Code and Section 30(a), 38(i), 43(i) of Bihar Prohibition and Excise Act, 2016.

As per FIR, there is allegation of recovery of 19 ltrs. of liquor from the house of the petitioner.

Submission of the learned counsel for the petitioner is that it is a joint house and several persons are residing in the same and he is accused in one more case that is not of similar type.

Heard learned A.P.P. , who has opposed the prayer for anticipatory bail on the ground that there is recovery of liquor



from his house.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, this application is disposed of with a direction to the petitioner to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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