

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80600 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- LAKHNAUR District- Madhubani

LALOO MAHTO @ PINTU KUMAR MAHTO @ LALU MAHTO Son of
Viran Mahto Resident of Village - Rupauli, P.S.- Lakhnour, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and learned
APP for State.

The petitioner in this case is seeking anticipatory bail
in connection with Lakhnour P.S. Case No.104 of 2019
registered for the offences punishable under Sections 272 and
273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel submits that there is no recovery from the
conscious possession of this petitioner.

Learned APP for the State is present and has opposed
the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case where the co-accused from whose house itself huge quantity of illicit liquor has been recovered and it is he who has made his self-incriminating statement involving this petitioner saying that both of them are involved in trade of illicit liquor, finding that this petitioner has also got one case of similar nature on his head, this Court is not inclined to grant privilege of anticipatory bail to the petitioner in view of the opinion of the Hon'ble Full Bench of this Court in the case of **Ram Binay Yadav Vs. The State of Bihar** reported in **2019(2) PLJR 1089**.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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