

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82736 of 2019

Arising Out of PS. Case No.-392 Year-2019 Thana- SAKRA District- Muzaffarpur

1. Mithlesh Kumar @ Mithlesh Mahto, son of Nanipat Mahto,
2. Ranjit Mahto @ Ranjeet Kumar Singh, son of Shiv Narayan Singh, both resident of village - Madhusudanpur, P.S.- Sakra, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 13-12-2019

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

2. The petitioners apprehend arrest in connection with Sakra PS Case No. 392 of 2019 dated 16.08.2019 instituted under Sections 420, 467, 468, 272, 273, 341, 323 and 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. The allegation against the petitioners is that they deal in illegal trade of liquor.

4. Learned counsel for the petitioners submitted that nothing has been caught from the petitioners and in the hut of co-accused, Subodh Mahto, 1.5 litres liquor was recovered and the petitioners have been named on the basis of someone from



the crowd saying that the petitioners were keeping such liquor in the hut of Subodh Mahto. Learned counsel submitted that the person, who had named the petitioners, has not been identified and further, that they have no criminal antecedent.

5. Learned APP submitted that the allegation is also that when one Raj Kishore Kumar had taken the name of the petitioner no. 2, he was assaulted and his mother, who came to save him, was also assaulted and further, that all the villagers, who had gathered at the spot, had stated with regard to the petitioners ruining the youth of the village. It was thus, submitted that the petitioners deal in the business of illicit liquor, which is a prohibited item in the State of Bihar.

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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