

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.950 of 2020

Arising Out of PS. Case No.-322 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Pawan Mahto @ Pavan Mahto @ Pawan Kumar Son of Bhagaynarayan
Mahto Resident of Village - Gopalpur Gopal, P.S.- Bochahan, District-
Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in Bochahan P.S. Case no. 322 of 2019 registered for the offence under sections 272, 273 and 120B of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, on secret information having been received, a raid was conducted and 187.2 litres of IMFL is said to have been recovered from the house of one Ram Chandra Thakur. It is stated that the petitioner managed to escape.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner was neither present at the place of



occurrence nor does he have any concern with the alleged seizure and no incriminating article has been recovered from the person or possession of the petitioner.

The application for bail has been opposed by learned APP for the State submitting that besides there being direct allegation against the petitioner in the FIR the petitioner is also accused in an earlier case under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and taking into consideration the antecedent of the petitioner under the Bihar Prohibition and Excise Act, the Court is not inclined to enlarge the petitioner on anticipatory bail and as such his application for anticipatory bail is rejected.

The petitioner is directed to surrender in the Court below within four weeks. In case the petitioner surrenders within the aforesaid period and prays for bail the same shall be considered without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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