

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4576 of 2020

Arising Out of PS. Case No.-748 Year-2019 Thana- CHAPRA TOWN District- Saran

Dilip Mahto Son of Late lal Babu Mahto Resident of Village - Sahebganj,
Adda No2, Ward No.29, P.S- Chapra Town, Dist.- Saran Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a) and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016, as amended by Act 8 of 2018.

It is alleged that 677.490 litres of Indian Made Foreign Liquor were recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the recovery has been made from the joint family house of the petitioner and the area from which recovery has been made falls in the share of uncle of the petitioner.

Learned APP submits that recovery has been made from the house of the petitioner.



Considering the nature of recovery, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, learned Court below may consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Chapra Town P.S. Case No. 748 of 2019, pending in the Court of learned 2nd Addl. Sessions Judge-cum-Special Judge, Excise, Saran at Chapra.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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