

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4808 of 2020**

Arising Out of PS. Case No.-295 Year-2019 Thana- BIRAUL District- Darbhanga

Raj Kumar Mahto @ Raju Mahto, S/o Chhatu Mahto Resident of Village-
Ram Nagar, P.S.- Biraul, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr.Arbind Kumar Pandey(App84)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 10-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with G.O. Case No. 1168 of 2019 arising out of Biraul P.S. Case
No. 295 of 2019, registered under Sections 30(a) of the Bihar
Excise Act, 2016, pending in the court of 2nd Additional
Sessions Judge-cum-Special Judge (Excise Act), Darbhanga.

The accusation is that on receiving secret
information about keeping the illicit liquor by Raju Mahto
(petitioner) at Tokena Gachi, the informant along with other
police personnel reached there. On search of hut and asbestos
house of the petitioner, 78 cartoons containing 3934 bottles of
180 ml Indian made foreign liquor recovered. Thereafter, rented



house of petitioner was also searched, from where, 18 bottles of 180 ml Indian made foreign liquor recovered.

Learned counsel for the petitioner submits that petitioner is not tenant in the house of Bahadur Sah, from where, 18 bottles each containing 180 ml Indian made foreign liquor are said to be recovered. In fact, the hut and asbestos house, from where, 78 cartoons containing 3934 bottles of 180 ml Indian made foreign liquor are said to be recovered, are not belonging to the petitioner. Further submission is that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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