

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3566 of 2020

Arising Out of PS. Case No.-344 Year-2019 Thana- PATAHI District- East Champaran

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VIJAY MAHTO Son of Mahendra Mahto Resident of Village- Bakhari, P.S.-
Patahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Ranjana Srivastava

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-01-2020

This application, for grant of anticipatory bail,

arises out of Patahi P.S. Case No. 344/2019, disclosing offences

under Sections 30(a), 37(a), 38, 41 of the Bihar Prohibition of

Excise Act, 2016.

Allegation is of recovery of 2.4 litres of liquor from

the toilet of the petitioner.

Submission of learned counsel for the petitioner is

that he has no criminal antecedent and has falsely been

implicated in this case.

Learned counsel for the State opposed the prayer for

anticipatory bail and submitted that the F.I.R. disclosed that the

recovery is from the toilet of the petitioner.

Having heard both sides, considering the facts and

circumstances, I am not inclined to grant the privilege of



anticipatory bail to the petitioner rather petitioner has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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