

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4739 of 2020

Arising Out of PS. Case No.-517 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

SAJJAN KUMAR MAHTO @ SAJAN KUMAR MAHTO @ SAJAN
MAHTO Son of Rajendra Mahto Resident of Village - Bhigo, P.S.-
Laheriasarai, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Laheriasarai PS case no. 517 of 2019
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 18.72
liters of illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits
that the petitioner has been falsely implicated in the present case
and is having a clean antecedent.

Having regard to the facts and circumstances of the
case, this Court is of the opinion that since it cannot be said that



no case is made out under the provisions of Bihar Prohibition and Excise Act, 2016, the present petition is not maintainable, hence is dismissed. However, it is directed that in case, the petitioner surrenders before the learned court below within a period of four weeks from today and prays for regular bail, his regular bail petition shall be decided on the same day considering the fact that meager quantity of liquor has been recovered from the house of the petitioner, which is stated to be in joint possession and the petitioner is having a clean antecedent.

With the aforesaid observations and directions, the present petition stands disposed off.

(Mohit Kumar Shah, J)

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