

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14256 of 2020

Arising Out of PS. Case No.-667 Year-2019 Thana- KADAMKUAN District- Patna

Baiju Mahto, Son of Dasai Mahto, Resident of Village - Dujra, P.S.- Budha
Colony, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 14-08-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Kadamkuan P.S. Case No. 667 of 2019, registered under
Section 30(a) of the Bihar Excise Act, 2016, pending in the
court of Special Judge, Excise, Patna.

The accusation is that on receiving secret
information about carrying of illicit liquor, loading in the tempo
bearing registration no. BR01PK 4233, the informant along with
other police personnel reached in the lane of Kajipur then a
tempo was seen in parking condition but the driver of the said
tempo was not there. On search, 75 litres country made liquor
kept in a sack was recovered from the said tempo.



Learned counsel for the petitioner submits that while petitioner is the owner of the seized tempo but he was not found at the place of occurrence. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case and 75 litres country made liquor kept in a sack was recovered from the tempo of 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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