

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23015 of 2020**

Arising Out of PS. Case No.-166 Year-2020 Thana- DARBHANGA District- Darbhanga

BINOD MAHTO @ VINOD MAHTO Son of Late Ram Narayan Mahto
Resident of Village - Musrio Bazar @ Masraf Bazar, P.S.- Town, 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. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 21-09-2020 Heard Mr. Vinay Kumar Mishra, learned counsel for
the petitioner and Mr. Narsingh Tanti, learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with G.O.
Case No. 563 of 2020 arising out of Town P.S. Case No. 166 of
2020 registered for the offence punishable under Section 30 (a)
of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that the Police raided the house of the
petitioner and recovered 19.260 liters of illicit liquor.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and the house in question from where illicit liquor has been



recovered is a joint family property and only the petitioner cannot be held responsible for the offence in question.

Having regard to the submissions made by the parties, taking into consideration the materials available on record and the fact that petitioner has got criminal antecedent inasmuch as Town P.S. Case No. 132 of 2017 and Town P.S. Case No. 62 of 2020 both registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016 are pending against the petitioner, I am not inclined to grant regular bail to the petitioner. Accordingly, the same is rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(Anil Kumar Sinha, J)

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