

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28982 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- BANGARA District- Samastipur

TEK NARAYAN MAHTO S/o Babu Lal Mahto Resident of
Village/Mohallah-Murgiya chak, P.S-Bangara, District-Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard Ms. Aprajita, learned counsel for the

petitioner and Mr. Kumar Virendra Narayan, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner apprehends arrest in connection with
Bangara P.S. Case No. 74 of 2020 registered for the offences
punishable under Sections 272, 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation as per the First Information Report is
that the Police raided the house of the petitioner and recovered a
total quantity of 3 litres of illicit liquor from veranda situated
near the room of the petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offense in the manner alleged



and he has falsely been implicated in this case inasmuch as the illicit liquor has been recovered from verandah situated near the room of the petitioner, which is an open space. Learned counsel further submits that the petitioner has got no criminal antecedent.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that illicit liquor has been recovered from the house of the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

However, if the petitioner surrenders before the court below within a period of four weeks from today and moves for regular bail, the same may be considered by the learned court below on the same date without being prejudiced by the fact that the present anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

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