

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.964 of 2020**

Arising Out of PS. Case No.-203 Year-2019 Thana- KATRA District- Muzaffarpur

MITHILESH MAHTO Son of Late Jiya Mahto Resident of Village - Dhanaur,
P.S.- Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

6 30-06-2020 Heard both sides.

The petitioner apprehends his arrest in Katra P.S. case No. 203 of 2019 registered under Section 272, 273 of the IPC and u/s 30(a), 38(1) of the Bihar Prohibition & Excise Act.

The matter has been taken up through video conferencing.

The informant got information that Balram Mahto and Mithilesh Mahto, the petitioner, had kept liquor in their huts. On search, 11.130 liter and 6.750 liter of liquor was recovered from both the huts belonged to Balram Mahto and the petitioner.

The learned counsel for the petitioner submits that there is no document to show that any of the hut belongs to the petitioner. The prosecution has not disclosed this fact in the FIR but it appears that the petitioner has got criminal antecedent and



he is accused in Gaighat P.S. case No. 180/2017 registered u/s 272, 273, 414 of the IPC and u/s 30(a) of the Bihar Prohibition & Excise Act and Indian made foreign liquor, of course, small quantity was recovered from the hut of the petitioner and Balram Mahto.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below the learned court below shall consider the prayer for regular bail of the petitioner on merit taking into consideration the fact that small quantity of Indian made foreign liquor was recovered from the hut of the petitioner without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

