

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21819 of 2021**

Arising Out of PS. Case No.-85 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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Osiyar Mahto, Son Of Late Chandrika Mahto, R/O Village- Koairgawa, P.S.-
Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sangrampur P.S. Case no. 85 of 2020 instituted for the
offence punishable under Sections 30(a), 32, 41(1) of the Bihar
Prohibition an Excise Act, 2016.

The prosecution story relates to recovery of five litres
country made liquor from the shop of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. He has got no criminal antecedent.
Neither the petitioner was arrested on spot nor any incriminating



article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the alleged recovery has been made from the shop of the petitioner. This is not a fit case for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that alleged shop belongs to the petitioner from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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