

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31194 of 2021**

Arising Out of PS. Case No.-799 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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RAJU MAHTO S/O BINDESHWAR MAHTO R/O MOHALLA-PURANI
GUDRI @ AMBEDKAR NAGAR, P.S.-NAGAR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Opposite Party/s : Mr. Nityanand

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 17-12-2021 Heard learned counsel for the petitioner and learned

A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 272 & 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 70 liters



of foreign liquor is said to have been recovered from the shop of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. Petitioner has two criminal antecedents of similar nature as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and as the recovery of liquor has been made from the shop of the petitioner, I am not inclined to enlarge him on anticipatory bail.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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