

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32362 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- BASOPATTI District- Madhubani

Rajesh Mahto S/O Sajjan Mahto @ Sajjan Mahto Resident of Ward No. 13,
Kataiya, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 7.200 litres of foreign liquor is said to have been recovered from the hotel of the petitioner.



He submits that petitioner is owner of the said hotel but it is run by the manager and there are other several staffs employed by him and he has no knowledge about the illegal liquor. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that illegal liquor was recovered from the hotel of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Basopatti P.S. Case No. 59 of 2021 pending before the court of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Anjani Kumar Sharan, J)

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