

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3684 of 2022

Arising Out of PS. Case No.-204 Year-2020 Thana- MIRGANJ District- Gopalganj

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DHARMNATH MAHTO SON OF GOPAL MAHTO R/O- NERUAI, P.S.-
EKDANGA, DISTRICT- GOPALGANJ

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr.Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 22-08-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Mirganj P.S. Case No. 204 of 2020, registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and Excise
Act, 2016.

As per allegation, when the police party intercepted the
bike of the petitioner, he became successful in fleeing away after
leaving his bike. Four litres of liquor was recovered therefrom.

Learned counsel for the petitioner has submitted that
nothing was recovered from his conscious possession. He is a person
of clean antecedent and he is merely owner of the bike wherefrom



the alleged liquor was recovered.

Considering the fact by virtue of Section 76 (2), no privileges of anticipatory bail can be entertained.

The petition is being disposed of with the observations that if the petitioner surrenders before the court below and makes a prayer for regular bail, that shall be disposed of on its own merit without being prejudiced by this order. The learned court below may take notice of the fact that the petitioner is a person of clean antecedent.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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