

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16209 of 2022**

Arising Out of PS. Case No.-5 Year-2022 Thana- DALSINGHSARAI District- Samastipur

RAMCHANDRA MAHTO S/o Late Ramgulam Mahto R/o village-
Ghatnawada, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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

2 30-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner apprehends his arrest in connection with Dalsinghsarai P.S. Case No.5 of 2022, registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

Allegedly 30 litres of country made liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has not been apprehended on the spot



nor any incriminating article has been recovered from his conscious physical possession. He has been made accused in this case on the basis of confessional statement of the co-accused. He has no concern with the recovery of the illicit liquor or any trade of liquor. The said house is a joint family property where other members also reside. Petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, since the since the recovery has been made from the house of the petitioner, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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