

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16568 of 2022**

Arising Out of PS. Case No.-7 Year-2022 Thana- NATIONAL HIGHWAY District-  
Samastipur

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Baliram Mahto @ Balram Mahto Son Of Late Chulhai Mahto R/O Village-  
Dumari Kothiya, P.S.- N.H. Bangara In The District Of Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shiv Shankar Prasad Yadav  
For the Opposite Party/s : Mr.Arun Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      12-08-2022                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

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

There is recovery of 8 litres of illicit country  
  
made liquor from the toddy shop of the petitioner.

It is submitted by learned counsel for the  
  
petitioner that petitioner was not apprehended from the  
  
spot. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner is an old person aged about 65 years and suffering from many old age ailments.

Considering the fact that illicit liquor was recovered from the toddy shop of the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the petition is disposed off with a direction to the petitioner to surrender before learned Court below within a period of four weeks from today and pray for regular bail. The learned Court below may consider the prayer for regular bail of the petitioner, keeping in view the old age, ailments and the fact that he was not apprehended from the spot nor anything was recovered from his conscious possession as well as the recovery of meager quantity of illicit liquor.

**(Sunil Kumar Panwar, J)**

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