

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18289 of 2022**

Arising Out of PS. Case No.-126 Year-2021 Thana- ALINAGAR District- Darbhanga

RAM MAHTO Son of Balkrishna Mahto Resident of Village - Gadaul, P.s.-
Alinagar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-07-2022 Heard learned counsel for the parties through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

One litre country-made liquor has been recovered from the bicycle and two litres country-made liquor has been recovered at the door of the petitioner.

It is submitted that nothing has been recovered from the conscious possession of the petitioner. Recovery has been effected from the house, which is in joint possession of the family. Petitioner has got clean antecedent.

However, learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail and submitted that



recovery has been made from the house and bicycle of the petitioner.

Considering the fact that recovery has been made from the house and bicycle of the petitioner, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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