

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32049 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- BIBHUTIPUR District- Samastipur

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MUKESH MAHTO @ MUKESH KUMAR S/o Mohan Mahto Resident of
Village - Surauli, Ward No.-2, P.S. - Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar

For the Opposite Party/s : Ms.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-09-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner apprehends his arrest in a case registered for the offence under Sections 30(a), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition & Excise Act.

Total 2525 liters 400 ml. of foreign liquor has been recovered from Mahindra pick-up van, of which, petitioner is alleged to be driver.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of this petitioner and has been made accused in this case simply because photocopy of his driving licence was found in the said vehicle.

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



driver of the vehicle, from which, huge quantity of illicit liquor
has been recovered.

Considering the same, the prayer for anticipatory bail
of petitioner is rejected.

(Prabhat Kumar Singh, J)

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