

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41120 of 2021**

Arising Out of PS. Case No.-354 Year-2020 Thana- BARAULI District- Gopalganj

=====

LADDU KUMAR MAHTO @ GOVIND KUMAR @ GOVIND KUMAR
MAHTO Son of Biresh Mahto Resident of Village Naya Tola, Banjari, P.S.
and District Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-02-2022 Heard Mr. Vyas Kumar Mishra, learned counsel for
the petitioner and Mr. Madan Kumar, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Barauli P.S. Case No. 354 of 2020 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

As per the First Information Report, a total quantity of
465 litres of illicit liquor has been recovered from the car owned
by the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case merely
because he happens to be the owner of the car from where the
illicit liquor has been recovered. However, he was not aware



about the illicit liquor being kept in the car by its driver. He further submits that name of the petitioner has transpired in this case on the basis of disclosure made by the arrested co-accused persons. The petitioner is in custody since 8.6.2021.

On the other hand, learned counsel for the State submits that the petitioner is habitual offender and four cases of similar nature of offence are pending against him since before.

Having regard to the submission made by the parties and taking into consideration the materials on record, the fact that illicit liquor has been recovered from the car owned by the petitioner, the petitioner has got criminal antecedents of similar nature of offence and he appears to be the habitual offender, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after four months if the trial does not register any substantial progress.

S.Ali/-

U		T	
---	--	---	--

(Anil Kumar Sinha, J)

