

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36870 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- NAYAGAON District- Saran

JITENDRA KUMAR MAHTO @ JITENDRA MAHTO SON OF
RAJBALABH MAHTO R/O VILLAGE- SHOBHEPUR, P.S.- NAYAGAON,
DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard the parties.

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.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 30(a) 37c of the Bihar Prohibition and Excise Act.

Altogether 60 liters of illicit liquor is said to have been recovered from the spot. The police has destroyed raw materials at the spot. The allegation against the petitioner is that he along with others are involved in the manufacturing of illicit liquor.

Learned counsel for the petitioner submits that petitioner



is quite innocent and has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case at the instance of his enemies. His name transpired in this case on the basis of suspicion. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Petitioner has one criminal antecedent of similar nature.

Learned APP for the State opposed the prayer for grant of anticipatory bail and submits that the petitioner is a member of syndicate involved in the manufacturing of illicit liquor.

Having regards to the facts and circumstances of the case, since the petitioner is a member of syndicate involved in the manufacturing of illicit liquor, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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