

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48239 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- HARLAKHI District- Madhubani

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Ankesh Mahto @ Ankesh Kumar Mahto Son of Mahesh Mahto Resident of
Village- Sothgaon, P.S.- Harlakhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-02-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

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

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that there is no recovery from the conscious
possession of the petitioner rather 135 liters of Nepali wine is
said to have been recovered from the hotel of the petitioner. He



further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that the petitioner has indeed engaged in trafficking of the illicit liquor so petitioner does not deserve anticipatory bail.

Considering the facts that the said illicit liquor has been recovered from the hotel of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Harlakhi P.S. Case No. 177 of 2021.

(Anjani Kumar Sharan, J)

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