

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46098 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- BAKHTIYARPUR District- Patna

Subodh Kumar @ Subodh Mahto S/O Dasrarth Mahto @ Dasreath Prasad
Resident of Makhdumma, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 272 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

10 litres of country made liquor has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is also submitted that nothing has been recovered from the conscious possession of the petitioner and there is no



compliance of Section 100 Cr.P.C.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioner by submitting that illicit liquor has been recovered from the house of the petitioner.

Considering the fact that illicit liquor has been recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected in connection with Bakhtiyarpur P.S. Case No.288 of 2021, pending in the court of learned Special Judge, Excise, Barh, District Patna.

(Anjani Kumar Sharan, J)

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