

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49360 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Ashok Mahto Son Of Haridwar Mahto Resident Of Rampur Asli, P.S.-
Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sahebganj P.S. Case no. 177 of 2022 instituted for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and 30(a) & 41(1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case relates to recovery of 60.390 litres country made foreign liquor of different quality from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. It is



further submitted that the house from where the recovery has been made is abandoned place and he has no concern with the recovery of illicit liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail and submitted that the place of recovery is the house of the petitioner as per seizure list.

Having heard learned counsel for the parties and taking into consideration that the alleged house belongs to the petitioner, from where recovery of illegal liquor has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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