

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11312 of 2023

Arising Out of PS. Case No.-396 Year-2022 Thana- WARISNAGAR District- Samastipur

Subodh Mahto S/O Late Somar Mahto R/V- Ramnagar Sari, P.S.- Warisnagar,
Mathurapur (O.P), District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Warisnagar (Mathurapur O.P.) P.S. Case No. 396 of 2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, pending in the Court of learned 2nd Exclusive Special Judge Excise Act, Samastipur.

As per the prosecution case, the police recovered 6 litres of country made liquor from the cottage type shop of the petitioner.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



He submits that the petitioner has no concern with the recovered country made liquor. The petitioner has got two criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State opposes the prayer for anticipatory bail and submits that the illicit liquor is said to have been recovered from the cottage type shop of the petitioner.

Considering the facts and circumstances of case and the fact that the said illicit liquor has been recovered from the cottage type shop of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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