

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39765 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- MUFFASIL District- Aurangabad

Chitaranjan Mahto S/O Surendra Mahto R/O Village- Sohar Bigha,
Chandauli, Ps. Barun, Dist. Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Adv.
Mr. Yugal Kishore, Adv.
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Muffasil
P.S. Case No. 165 of 2023 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
(Amended), 2018, pending in the Court of learned Special
Judge-Excise Court No. 1, Aurangabad, Bihar.

3. As per the prosecution case, allegation against
the petitioner is of recovery of 174.78 liters liquor from Alto
car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the petitioner is neither the owner nor the driver of the said Alto car. He further submits that apprehended co-accused, Ravi Kiran, has disclosed the name of the petitioner and on that basis petitioner has been made accused in the present case. The petitioner has three criminal antecedents of similar nature as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner is also involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the fact that the petitioner has three criminal antecedents of similar nature, 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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