

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52371 of 2023

Arising Out of PS. Case No.-915 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

NAGENDRA MAHTO S/O FAUZDAR MAHTO R/O VILLAGE-
SANDHA, P.S- MUFFASIL, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Suman

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Saran (Muffasil) P.S. Case No. 915 of 2022 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, pending in the Court of learned Additional District and Sessions Judge-II-cum-1st Exclusive Special Judge Excise, Chapra Saran.

3. As per the prosecution case, allegation against the petitioner is of recovery of 40 liters of country made liquor from his house.

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 apprehended from the spot nor any offended article has been recovered from his possession. 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 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, 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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