

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78353 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- MUSRIGHRARI District- Samastipur

LAL BABU MAHTO S/O LATE YOGENDRA MAHTO VILLAGE-
MANPURA, PS. N.H. BANGRA, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Musarigharari
P.S. Case No. 10 of 2023 registered for the offences punishable
under Sections 30(a), 32, 36, 41 of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. Altogether 2107.815 of illicit foreign liquor as well as
one motorcycle and one Honda city car have been recovered
from the place of occurrence. After seeing the police party, all
the accused persons fled away from the spot.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. Petitioner has no concern



either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case due to ulterior motive. He was not apprehended on the spot. He had not consumed liquor. His name has been transpired in the present case merely because he is the owner of the seized motorcycle. Petitioner has ten criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, petitioner has ten criminal antecedents, I am not inclined to enlarge him on anticipatory bail.

7. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

