

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81329 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- PUSA District- Samastipur

RAKESH MAHTO @ RAKESH KUMAR MAHTO Son of Shankar Mahto
Resident of village - Ward No.- 05, Bhuskaul, P.S.- Pusa, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Pusa P.S. Case
No. 102 of 2023 registered for the offences punishable under
Section 30 (a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. Altogether, 8.640 ml of foreign liquor has been
recovered from the joint house of petitioner.

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 any trade of liquor. The



allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. The joint house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. He had not consumed liquor. Petitioner has no criminal antecedent 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, as the illicit liquor has been recovered from the joint house of petitioner, 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)

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