

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58438 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- WARISNAGAR District- Samastipur

Om Prakash Mahto Son of Baijnath Mahto @ Vaidhnath Mahto R/o village -
Purnahi , Police Station - Warisnagar , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap
For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Warisnagar
P.S. Case No. 166 of 2024 registered for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

3. As per the prosecution case, 1468.8 litres of
foreign liquor is said to have been recovered from a Pickup and
a Bolero van.

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
nothing has been recovered from conscious possession of the



petitioner, rather it has been recovered from two different vehicles and merely on the basis of suspicion the petitioner has been implicated in the present case. The petitioner has four criminal antecedents of similar nature as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of case and the fact that the petitioner has four 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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