

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69351 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- MAHARAJGANJ District- Siwan

Surendra Mahto Son of Sukhal Mahto Resident of Village- Purani Bazar,
Noniadih, PS.- Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Maharajganj P.S. Case No.91 of 2024, registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act, 2022 (Amendment).

3. Altogether 5 litres of country made liquor is said to have been recovered from the house of the petitioner and petitioner succeeded in fleeing away.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He



was not apprehended on the spot and his name transpired in this case on the basis of the disclosure made by the local people. Petitioner has two criminal antecedent in similar nature of offence.

5. Having regard to the facts and circumstances of the case, considering the criminal antecedent of the petitioner and the fact that recovery has been made from the house of the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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