

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75688 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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Sonu Mahto @ Sonu Kumar Mahto Son of Late Jagdish Mahto R/O Vill.-
Gangwara Ammadih, P.S- Sadar, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Excise & Prohibition Darbhanga Sadar P.S. Case No. 236 of 2024, lodged on 14.06.2024, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending before the Court of Special Judge-I (Excise Act), Darbhanga.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 630 litres of *Nepali* liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are three criminal cases pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean. There are three criminal cases pending against the petitioner.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby refused.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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