

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80789 of 2024**

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

Om Prakash Mahto Son of Baijnath Mahto @ Vaidhnath Mahto Resident of  
Village- Purnahi, P.S. - Warisnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      20-12-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in a case registered for  
the offence punishable under Sections 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 the Bolero  
and pickup vehicle.

4. Learned counsel for the petitioner submits that  
the petitioner is innocent and has committed no offence and has  
falsely been implicated in this case. He submits that the  
petitioner is neither driver nor owner of the seized vehicles. He  
further submits that on the basis of secret information petitioner  
has been made accused in the present case. The petitioner is



languishing in custody since 21.10.2024. The petitioner has five criminal antecedents of similar nature as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner has five criminal antecedents of similar nature, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer of regular bail of the petitioner is hereby rejected in connection with Warisnagar P.S. Case No. 166 of 2024.

7. However, the petitioner shall be at liberty to renew his prayer for bail after framing of charges.

**(Anjani Kumar Sharan, J)**

anand/-

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