

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.5636 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- Excise P.S. District- Rohtas

SHASHI MAHTO @ SHASHI KUMAR S/O MUNDRIKA MAHTO @
MUNDRIKA SINGH R/o vill - Dahiyar, P.S. - Sasaram (Muffasil), Distt.-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 17-03-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Excise Case No. 1109 of 2024, arising out of Excise
Police Station Case No. 409 of 2024, dated 08.12.2024,
disclosing offence under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report,
is that the police, on secret information that a person is
transporting illicit liquor on a motorcycle in village
Gangoli, reached at the place of occurrence and saw a
person coming on a motorcycle. The police tried to stop



the motorcycle but the person, riding the motorcycle, turned around and tried to flee away, but the police apprehended him, who disclosed his name as co-accused Ajay Kumar. On search, the police recovered 50 litres of illicit country-made liquor from the motorcycle in question. The apprehended co-accused further disclosed that the illicit liquor belongs to the petitioner and the petitioner used to give him some money for transporting the same.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated by the police on the basis of disclosure of his name by the arrested co-accused, with whom he has inimical terms. He further submits that the petitioner has got no concern with the illicit liquor and/or motorcycle and no illicit liquor has been recovered from the vehicle and/or premises belonging to him.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got eight criminal antecedents of similar nature of offence, I am not inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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