

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20390 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- SAKATPUR District- Darbhanga

AMRESH MAHTO @ AMRESH KUMAR MAHTO S/o Yogendra Mahto
R/o Village- Kokraha, Tardih, P.S.- Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagarnath Singh, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sakatpur P.S. Case No. 123 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, lodged on 16.12.2024 by the informant, Ashok Paswan.

3. As per the prosecution story, the informant alleged that upon information, the police raided the place of occurrence and there is recovery of 360 litres country made Nepali liquor. This lead to the F.I.R.

4. Learned counsel for the petitioner submits that there is nothing on record to show that anything has been recovered from his conscious possession rather from the open place.



5. Learned APP on the other hand opposes the prayer for bail and taken this Court to Paragraph 3 to show that the petitioner has two criminal antecedents of similar nature.

6. Considering the aforesaid fact of the case and also the petitioner has two criminal antecedents of same nature, this is not a fit case for grant of anticipatory bail to the petitioner.

7. The application of anticipatory bail stands rejected.

8. However, if the petitioner surrenders within a period of four weeks, the court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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