

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44517 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- Excise P.S. District- Madhubani

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Ashok Mahto @ Ashok Kumar Son of Mahavir Mahto Village- Vijay
Salempur, Ward no. 7, PS -Pandaul, District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the State : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, in total, 238.500 litres
illicit liquor was recovered from the tempo and house of this
petitioner.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case. No incriminating material has been
recovered from the conscious possession of this petitioner and
he is in no way connected with the aforesaid recovery.

5. On the other hand, learned APP appearing for the



State submits that petitioner is not entitled to the privilege of anticipatory bail in view of decision of the Full Bench of this Hon'ble Court rendered in the case of *Ram Vinay Yadav vs. The State of Bihar* reported in *2019(2) P.L.J.R. 1089 (F.B.)*. Petitioner has got one criminal antecedent of similar nature.

6. Considering the aforesaid decision of this Court and fact that petitioner has got one criminal antecedent of similar nature, the prayer for grant of anticipatory bail to this petitioner is rejected.

(Prabhat Kumar Singh, J)

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