

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51513 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Om Prakash Mahto @ Om Prakash S/o Kari Mahto R/o Village- Madhutol,
Jahangirpur, Ward No 10, P.S.- Khanpur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2025 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 Sections 30(a), 32(2) and 41(1)(2) of the Bihar Prohibition and Excise Act and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, 1103.250 litres of Indian made foreign liquor was recovered from a truck.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicle in question. The name of the petitioner has been transpired on the basis of disclosure made by apprehend co-accused person. Nothing has been recovered from the conscious



possession of this petitioner.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that huge quantity of liquor was recovered from the seized vehicle. Petitioner has got four criminal antecedents of similar nature.

6. Considering the nature of accusation, recovery of huge quantity of illicit liquor from the seized vehicle and fact that petitioner has got four criminal antecedents of similar nature, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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