

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58832 of 2024**

Arising Out of PS. Case No.-11 Year-2024 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Ram Bahadur Mahto @ Bahadur Mahto Son of Late Rameshawar Mahto  
R/V- Village- Sahpur Bhirha, P.S.- Cheriya Bariyarpur, Distt.- Begusarai  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rambabu Yadav, Advocate  
For the Opposite Party/s : Mr. Abhay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

**ORAL ORDER**

2      17-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Cheriya Bariyarpur P.S Case No. 11 of 2024 instituted for the offence punishable under Sections 30(a), 32(1), 32(2), 36, 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and 420, 467, 468, 471, 120(B) of I.P.C.

3. As per allegation in the FIR, total 1053 litres of illicit liquor has been recovered from the pick-up Van.

4. Learned counsel for the petitioner submits that petitioner has two criminal antecedent except this case. He also submits that petitioner is innocent and he has not committed any



offence. He has been falsely been implicated in this case.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may affect the investigation of this case.

6. From perusal of the F.I.R., seizure list, impugned order and case diary, it appears that name of the petitioner surface from the statement of other apprehended person and there is two criminal antecedents against the petitioner of the same nature along with other serious offences. *Prima facie*, it appears involvement of the petitioner in this case.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the present anticipatory bail petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

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