

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64457 of 2024**

Arising Out of PS. Case No.-641 Year-2023 Thana- HARSIDHI District- East Champaran

Arjun Mahto Son of Jagdish Mahto Resident of Village - Ranjita Sanaiya, P.S.  
- Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lallan Kumar Verma, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

3      07-02-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

As per allegation in the FIR, total 300 liters of illicit Nepali liquor has been recovered from the house of co-accused Shambhu Mahto.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that similarly situated co-accused has been granted anticipatory bail by this Court passed in Cr. Misc. No. 39617 of



2024. Petitioner has got one criminal antecedent as stated in para-2 of the supplementary affidavit dated 23.01.2025.

Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has got one criminal antecedent.

6. On perusal of the First Information Report, and impugned order dated 06.06.2024, it appears that the petitioner has got one criminal antecedent. As, Section 76 (2) of Bihar Prohibition and Excise Act is attracted which bars the anticipatory bail. As such in view of the allegation leveled against the petitioner as well as in light of the judgment of the full bench of this Court in the case of **Ramvinay Yadav v. State of Bihar PLJR 2019 (2)**, so I am not inclined to grant anticipatory bail to the petitioner.

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

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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