

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89926 of 2024**

Arising Out of PS. Case No.-519 Year-2024 Thana- MUZAFFARPUR TOWN District-  
Muzaffarpur

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Raju Mahto @ Raju Kumar S/O Vindeshwari Mahto Resident of Purani  
Gudri, Bhawani Singh Marg, P.S.- Nagar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 228-01-2025
1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Town Police Station Case No. 519 of 2024, dated 27.08.2024, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioner has concealed illicit liquor in his house and is selling the same, raided the house of the petitioner and recovered 15 litres of illicit liquor from the house of petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



this case. He further submits that the house in question is a joint family property, where other persons of the family also reside. He further submits that the petitioner has got no criminal antecedent.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that from perusal of the First Information Report and the seizure list, it is apparent that the illicit liquor has been recovered from the house of the petitioner. Accordingly, on perusal of the First Information Report and the seizure list, a *prima facie* case is made out against the petitioner and in view of the Full Bench decision of this Court, in **Criminal Appeal (S.J.) No. 431 of 2019 (Ram Vinay Yadav v. The State of Bihar)**, I am not inclined to exercise my discretion for grant of anticipatory bail to petitioner.
6. This application is, accordingly, dismissed.
7. However, if the petitioner surrenders before the concerned Court and seeks regular bail, the same may be considered by the concerned Court on its own merit, if possible on the same date, without being prejudiced by the rejection of the present anticipatory bail application of



the petitioner by this Court.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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