

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89045 of 2024

Arising Out of PS. Case No.-909 Year-2024 Thana- BIHTA District- Patna

Mithelesh Kumar @ Mithlesh Rai @ Mithales Ray S/O Narayan Rai @
Satyanarayan Rai @ Satya Narayan Ray Resident of Village- Madahi @
Maudahi, Police Station- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection with
Bihta P.S. Case No.909 of 2024, registered for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the FIR, police recovered 50 litres of country
made liquor and apparatus used in manufacturing of liquor from
the spot. Police is also said to have destroyed 7000 litres of raw
mahua on the spot. The allegation against the petitioner is that
he and other co-accused persons fled away from the spot.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. There
is no recovery of illicit liquor from the possession of the
petitioner. Petitioner was not apprehended on the spot. His name



transpired in the present case merely on the basis of suspicion.
Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since there is allegation of manufacturing of illicit liquor against the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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