

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37729 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- Bachwara District- Begusarai

Mantun Rai @ Mantun Kumar Rai, Son of Shiv Shankar Rai, resident of
Village- Chamtha, Chirayatok, P.S. Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-07-2018 Heard Sri Sandeep Kumar Gautam, learned counsel
for the petitioner and Sri Madan Kumar, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Bachwara P.S. Case No. 125 of 2017 registered for offence
under Section 30(a) of Bihar Prohibition and Excise Act, 2016,
has prayed for grant of anticipatory bail, primarily; on the
ground of parity.

It has been argued that in the case, at least five
accused persons in similar circumstances have been extended
the privilege of anticipatory bail. Learned counsel for the
petitioner further submits that from the joint house of the
petitioner, recovery of about 7.8 litres of Indian make foreign
liquor was shown and petitioner's father & petitioner both were
made accused. It has been argued that in the same transaction,
raid was conducted in different houses and from the house of



other three accused also, recovery was effected, however; other three accused namely Brahmdeo Rai, Shamsheer Rai and Wakil Rai were granted anticipatory bail on 11-05-2018, vide Cr. Misc. No. 28700 of 2018.

Learned Addl. Public Prosecutor, though has opposed the prayer for grant of anticipatory bail, has not disputed the fact that other accused in similar circumstances have been extended the privilege of anticipatory bail.

Accordingly, there is no reason to pass a different order in the present case.

In the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Mantun Rai @ Mantun Kumar Rai be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S. Case No. 125 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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