

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37474 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- Baniyapur District- Saran

Mantosh Kumar Singh @ Mantosh Kumar, Son of Dhruv Singh, resident of
Village- Usti, P.S.- Baniyapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-07-2018 Heard Sri Dewendra Narayan Singh, learned counsel
for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
Baniyapur P.S. Case No. 121 of 2018 registered for offence
under Sections 30(a) & 38 of Bihar Prohibition and Excise Act,
2016, has prayed for grant of anticipatory bail.

At the very outset, learned counsel for the petitioner
has drawn my attention to statement made in paragraph – 3 of
the petition to show that petitioner is having clean antecedent.
He further submits that petitioner has falsely been made accused
in the present case, as if, his father himself disclosed that
petitioner was involved in sale and purchase of liquor. He
submits that house of father of the petitioner was raided, from
where, huge quantity of foreign liquor was recovered and his
father was also apprehended. Subsequently, it appears that the



officer incharge, who is informant in the present case, has put his words into the mouth of his father and implicated the petitioner, as one of the accused, who fled away.

Be that as it may, considering the fact that petitioner is having clean antecedent as well as the fact that main accused, whose house was searched, has already been arrested, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Mantosh Kumar Singh @ Mantosh Kumar 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 6th Additional Sessions Judge, Saran at Chapra in connection with Baniyapur P.S. Case No. 121 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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