

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13308 of 2020

Arising Out of PS. Case No.-53 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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AJAY RAI @ MANGAL RAI Son of Suraj Rai Resident of Village
Madhuban, P.S. - Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-09-2020 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Kanti P.S. Case no. 53 of 2019 registered under sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a raid being conducted, a total quantity of 3.240 litres of IMFL is stated to have been recovered from the ‘bathan’ situated behind the house of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery as stated in the FIR is false and incorrect. In any way of the matter the alleged place of recovery

is an open place accessible to all and the petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having any criminal antecedent, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Kanti P.S. Case no. 53 of 2019 he will 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 Special Judge Excise, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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