

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27219 of 2021

Arising Out of PS. Case No.-194 Year-2020 Thana- PATLIPUTRA District- Patna

ANIL MAHTO @ LUCKY @ ANIL KUMAR @ LUCKY S/O LATE
SHANKAR PRASAD @ SHANKAR MAHTO Resident of Gosain Tola,
P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted 837 litres of liquor was recovered while three accused persons managed to escape. The petitioner was identified as one of the accused who had managed to escape.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession nor was the petitioner arrested at the spot. The cause of his false implication is his antecedent. He is in custody since 17.1.2021 and charge sheet has been submitted



in the case.

It is submitted by learned counsel for the petitioner that an affidavit has been filed in the case mentioning about the earlier case under the Bihar Prohibition and Excise Act, 2016 against the petitioner. It is further submitted that the same also finds mention in the order of the learned Court below rejecting the application for bail of the petitioner.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner not having been arrested at the spot and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special Case no. 3683 of 2020 (arising out of Patliputra P.S. Case no. 194 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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