

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27383 of 2020

Arising Out of PS. Case No.-287 Year-2019 Thana- KHAJEKALA District- Patna

MONTU RAI @ MANTUN RAI Son of Bhuletan Rai Resident of Mohalla -
Gandhi Chawk, Hamampar, P.S. - Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Special Case No. 6023 of 2019 arising out of Khajekalan P.S. Case No. 287 of 2019, registered under sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, 17.1 litres of IMFL is stated to have been recovered from the land encircled by one Ajit Kumar and it is further stated that the same belongs to the four named accused persons including the petitioner herein, who were storing and selling the same.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and incorrect. The petitioner has no concern either with the seized article nor



with the land from which the same are alleged to have been recovered. He has been falsely implicated in the case only for the reason that on an earlier occasion the case under the Excise Act was lodged against him.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Special Case No. 6023 of 2019 arising out of Khajekalan P.S. Case no. 287 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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