

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40372 of 2020

Arising Out of PS. Case No.-321 Year-2020 Thana- MAHUA District- Vaishali

Mintu Kumar Son of Santlal Rai @ Sant Lal Ray Resident of Village - Mahua
Singh Rai Fular, P.S.-Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul Mr. Aditya Pandey Mr. Anuj Kumar
For the State	:	Mr. Jharkhandi Upadhyaya, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 01-11-2021 Heard Mr. Aditya Pandey, learned counsel for the petitioner assisted by Mr. Ansul. Learned Additional Public Prosecutor for the State is also present.

The petitioner apprehends his arrest in connection with Mahua P.S. Case No. 321/2020 registered for the offences punishable under Sections 30(i)/32(ii)/34(ii)/38(ii)/41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, a huge quantity of liquor was recovered from a truck, but there was no arrest on the spot. The name of the petitioner surfaced from the local chowkidar.

It is submitted by learned counsel for the petitioner that the petitioner has a clean antecedent and he has not been arrested on the spot. It is further submitted that name of the



petitioner surfaced by the local chowkidar due to some enmities. It has also been submitted that, if earlier, he would have been involved in the business of liquor smuggling, there may have been some cases against him.

In the facts and circumstances of the case the petitioner is granted anticipatory bail.

Let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Excise Court Vaishali at Hajipur, in connection with Mahua P.S. Case No. 321/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned court below is directed to release the petitioner **on provisional anticipatory bail** and, thereafter, verify his criminal antecedent. If the petitioner is found having a clean antecedent, the provisional anticipatory bail, is confirmed and if there is some antecedent against the petitioner, then the provisional bail shall be cancelled.

(Sandeep Kumar, J)

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