

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25649 of 2017**

Arising Out of PS.Case No. -41 Year- 2017 Thana -SURSAND District- SITAMARHI

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Harishchandra Mahto, son of Umesh Mahto, resident of Village- Bishunpur,  
P.S.- Aurai, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Devendra Kumar, Advocate.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      13-06-2017                      Heard Sri Devendra Kumar, learned counsel for the  
petitioner, and Smt. Veena Kumari Jaiswal, learned A.P.P. for the  
State.

The petitioner in the present case is seeking regular  
bail in Sursand P.S. Case No. 41 of 2017 registered under Section  
30(A) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner referring to the  
First Information Report submits that the petitioner along with the  
co-accused Ajay Kumar Mahto was apprehended by the patrolling  
party. Learned counsel submits that the motorcycle in question  
does not belong to him and he has been falsely implicated. He  
further submits that he has no criminal antecedent and co-accused



Ajay Kumar Mahto has been granted regular bail by a co-ordinate bench of this Court in Cr. Misc. No. 24715/2017.

Learned A.P.P. opposed the prayer for bail.

Considering the nature of allegations and the fact that the petitioner is in custody for more than three months and the co-accused has already been granted the privilege of bail, let the petitioner, namely, Harishchandra Mahto be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II, Sitamarhi in Sursand P.S. Case No. 41 of 2017.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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