

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37599 of 2019**

Arising Out of PS. Case No.-111 Year-2019 Thana- NOORSARAI District- Nalanda

1. SURENDRA SAO S/o Nakul Sao R/o village- Ghurta, P.S.- Herodih, District- Giridih, State -Jharkhand
2. Anand Kumar @ Anand Kumar Sao S/o Basudeo Sao R/o village- Ghurta, P.S.- Herodih, District- Giridih, State- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dr. Ajeet Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      25-06-2019                      Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Noorsarai P.S. Case No. 111/2019, instituted for offence under Section(s) 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that the police got information that illicit liquor has been brought and is being kept in government tube-well. The police party reached at the place of occurrence and saw 7-8 persons were unloading the liquor from a small container vehicle and keeping in tube-well. Seeing the police party they started running away but on chase two persons were apprehended who disclosed their name as



petitioners. The other co-accused managed to run away. On search, the police recovered 1127 litres of illicit liquor from the tube-well and container.

Seizure-list is part of F.I.R., from which it appears that recovery has been made from the tube-well and container truck. There is no recovery of any illicit liquor from conscious possession of petitioners.

Petitioners are in custody since 25.04.2019 having clean antecedent.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3<sup>rd</sup> Addl. District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Noorsarai P.S. Case No. 111/2019, subject to the conditions that both the bailors shall be the close relative of the petitioners.

**(Sanjay Priya, J)**

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