

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45966 of 2019**

Arising Out of PS. Case No.-166 Year-2019 Thana- BELAGANJ District- Gaya

1. SUNIL SAO S/o Late Pachu Sao R/o village- Ore, P.S.- Belaganj, District- Gaya
2. Ashok Sao S/o Late Lalmuni Sao R/o village- Ore, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.Ajay Kumar

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      25-07-2019                      This application, for grant of anticipatory bail, arises out of Belaganj P.S. Case No. 166/19, disclosing offences under Sections 30(a) of the Bihar Prohibition of Excise Act, 2016 and Section 2 (e), 3, 5(b), 18/42 of Mahua Full Niyamawali.

Allegation is that Police on information that mahua flower is being unloaded from a vehicle, raided the place and recovered 50 k.g. of mahua flower and one person was arrested, who disclosed the names of petitioners and others.

Submission of learned counsel for the petitioners is that there is no recovery either from the possession or from the house of the petitioners and they have falsely been implicated in



this case on the confession of co-accused.

Learned counsel for the State opposed the prayer for bail, however, he could not controvert the submission of learned counsel for the petitioner that there is no recovery from the house of the petitioners or at their instance.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Gaya in connection with Belaganj P.S. Case No. 166/19, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

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