

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13503 of 2020**

Arising Out of PS. Case No.-204 Year-2019 Thana- HATHAURI District- Samastipur

1. SANTOSH MANDAL S/O- Late Shiv Shankar Mandal Resident of Village Kankhariya Shivajinagaar, P.S.- Hathauri, District - Samastipur.
2. Naresh Mandal S/O- Late Guneshwar Mandal Resident of Village Kankhariya Shivajinagaar, P.S.- Hathauri, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha  
For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      05-03-2020                      Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 30a of the Bihar Prohibition and Excise Act on the allegation of recovery of 102.87 liters of foreign liquor from the sugar cane field.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case as nothing has been recovered from their possession. Petitioner no. 1 has criminal antecedent of similar nature, whereas petitioner no.2 has got no criminal antecedent.

Considering the facts of the case, let the petitioner no. 2, above named, in the event of surrender before the Court below within six weeks from today, be released on bail on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum Special Judge, Excise Act Samastipur in Hathauri Police Station Case No. 204/2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

In view of having been implicated in earlier similar offence, prayer for bail of the petitioner no. 1 is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

**(Prabhat Kumar Singh, J)**

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