

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26171 of 2021

Arising Out of PS. Case No.-4 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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1. MITHLESH KUMAR MAHTO Son of Rambrich Mahto Resident of Village - Salampur, P.S.- Lalganj, Distt.- Vaishali.
 2. CHANDAN KUMAR Son of Suresh Mahto Resident of Village - Lalganj, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. Umashankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 22-11-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 30(a), 56(b) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 875 litres of spirit was recovered from a secret box in the vehicle and the petitioners were taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They were bonafide passengers in the said vehicle. The driver-cum-owner of the vehicle managed to flee away. The petitioners who have no criminal antecedent are in



custody since 5.1.2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioners not having any criminal antecedent and being in custody since 5.1.2021, the Court directs both the petitioners to be enlarged on bail in connection with Gaya Excise Case no.4 of 2021 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Court, Excise, Gaya.

(Partha Sarthy, J)

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