

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33041 of 2020

Arising Out of PS. Case No.-194 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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1. SHEOJI MAHTO, Son of Kishun Mahto Resident of village - Mahuari, P.S.,
Maharajganj, District Siwan.
 2. Moti Manjhi, Son of Dayashankar Manjhi Resident of village - Mahuari,
P.S., Maharajganj, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 05-03-2021 Heard Mr. Mithilesh Kumar, learned counsel for

the petitioners and Mr. Shailendra Kumar, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Complaint Case No. C III 194

of 2020, in which cognizance has been taken under



Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

16 litres of country-made liquor was recovered from behind the houses of the petitioners.

The learned counsel for the petitioners has submitted that recovery is from open space and not from the constructive / exclusive possession of the petitioners.

The petitioners do not have criminal antecedents.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-cum-Special Judge Excise, Siwan, in connection with Complaint Case No. C III 194 of 2020, subject to the conditions as laid



down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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