

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40894 of 2020

Arising Out of PS. Case No.-204 Year-2020 Thana- SURYAGARHA District- Lakhisarai

1. Kare Lal Singh, Son of Madhukant Singh Resident of Village- Naya Tola Salempur, P.S.- Manikpur (Suryagadha), Distt.- Lakhisharai.
2. Anil Mahto @ Amit Mahto, Son of Anandi Mahto Resident of Village- Maharna, P.S.- Dharahara, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar- Advocate

For the Opposite Party/s : Mr. Anita Kumari- A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-03-2021 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Suryagadha P. S. Case No.204 of 2020 registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

As per allegation in the F.I.R., on a tempo being searched, it is stated that 100 litres of *Mahua* liquor was recovered. The petitioner no.1 was one of the occupants of the vehicle, whereas the petitioner no.2 was on the driving seat.

It is submitted on behalf of the petitioners that no



incriminating article has been recovered from the person or possession of the petitioners, who are in custody since 12.10.2020 i.e. for more than five months.

The application for bail is opposed by learned A.P.P. for the State.

A report was called for from the Superintendent of Police, Lakhisarai to verify the antecedent of the petitioner and contrary to the statements made in paragraph no. 3 of the petition, the as per report, the petitioner no.2 is accused in one another case.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner no.2 on bail and the prayer for bail is rejected.

Petitioner no.2 shall be at liberty to renew his prayer for bail after six months.

In the facts and circumstances of the case, the petitioner no.1 is directed to be enlarged on bail in connection with Suryagadha P. S. Case No.204 of 2020 on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction



of learned 2nd Additional Sessions Judge-cum-Special
Judge, Excise, Lakhisarai.

(Partha Sarthy, J)

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