

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48441 of 2023**

Arising Out of PS. Case No.-215 Year-2023 Thana- BARAULI District- Gopalganj

Suresh Mahato @ Suresh Sah S/O Late Kishun Deo Mahato R/O Village-  
Bakhraur Pachpatiya, P.S- Barauli, Distt.- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Setu Prateek

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      28-07-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
arrest in a case registered for the offences punishable under  
Section 414/ 34 of the I.P.C. and Section 30(a) of the Excise  
Act.

3. The learned counsel for the petitioner submits that  
the petitioner has antecedent of five cases and the allegation is  
of recovery of 216 litres of liquor from a dilapidated house of  
Manager Sah.

4. The learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession and even alleged  
recovery is from a place, which does not belong to the petitioner



and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Exclusive Special Judge, Excise court No.1, Gopalganj in connection with Barauli P. S. Case No.215 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

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