

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7380 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- AMNAUR District- Saran

Surendra Mahato Son of Late Jitan Mahato Resident of Village - Amnour Dih
(Har Narayan), P.S. - Amnour, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s: Ms. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner seeks bail in a case registered for the of-
fences punishable u/s 30(a), 33, 34, 47 of the Bihar Prohibition
and Excise Act, 2022.

3. Altogether 1365 litres of spirit liquor is said to have
been recovered from two vehicles.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner or from his house. He has
no concern either with the seized liquor or any trade of liquor or
the seized vehicles. His name has been transpired in the present
case during the investigation of Amnour P.S. Case No. 426 of



2024 merely on the basis of the confessional statement which has no evidentiary value in the eye of law. He has been languishing in custody since 04.01.2025. He has seven criminal antecedents as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Amnour P.S. Case No.318 of 2024, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will



inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the afore-said amount in the Lawyer’s Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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