

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54001 of 2017**

Arising Out of PS.Case No. -119 Year- 2017 Thana -NALANDA District- NALANDA  
(BIHARSHARIFF)

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1. Mithilesh Kumar @ Mittu Sir Son of late Sohail Mahto Resident of  
Village- Raghu Bigha, P.S. and District. Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-11-2017      Heard the parties.

The petitioner seeks regular bail in connection with Nalanda  
P.S.Case no.119 of 2017 registered for offences punishable under  
Sections 30(A)37(B) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 1.2.  
ltrs. of liquor from a bag of the petitioner.

Submission of the learned counsel for the petitioner is that  
the petitioner has been falsely implicated in this case and he has  
no criminal antecedent as well as he is in custody for about 3  
months. He is accused in one more case but it is not of similar  
type.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 6<sup>th</sup> Addl. District and Sessions Judge-cum-Special Judge, Excise, Nalanda in Bihar Sharif in connection with Nalanda P.S. Case No.119 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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