

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45714 of 2018

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Mithilesh Kumar, Son of Upendra Mandal, resident of Menaha, Police Station-Likhi, District – Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

9 litres of Nepali liquor is said to have been recovered from the dicky of the motorcycle of the petitioner and the petitioner was apprehended.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. There is violation of Section 100 Cr.P.C. He has no



criminal antecedent. He has been languishing in custody since 17.05.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-II cum Special Judge, Excise, Supaul in connection with S.T. (Excise) No. 390 of 2018 arising out of Nirmali P.S. Case No. 66 of 2018.

(Prakash Chandra Jaiswal, J)

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