

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19278 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- NANHPUR District- Sitamarhi

Mithilesh Kumar Rai @ Mithlesh Kumar Rai Son of Dev Narayan Ray R/o
Village- Mohani, Ward No.-1, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
21.02.2018 in connection with Nanpur P.S. Case No. 43/18 for
offences punishable under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as lodged by the informant
police personnel, is that on secret information that in the orchard
of Umesh Rai some illicit liquor has been stored, the police
conducted raid and found the petitioner standing near the
orchard of said Umesh Rai. From the orchard, inside the straws,
99 litres of foreign liquor was recovered. Accordingly, a seizure-
list was prepared.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession, he had no concern with the seized illicit liquor and was only standing in the orchard.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi, in connection with Nanpur P.S. Case No. 43/18, subject to the condition that the petitioner will cooperate in the investigation/ trial and provide all necessary information, failure of which will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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