

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5604 of 2019

Arising Out of PS. Case No.-219 Year-2017 Thana- BARBIGHA District- Sheikhpura

MITHU SARDAR @ MITHUN CHAKRAVARTI (Male) aged about 35
years S/o Ramchandra Singh R/o Maur, P.S.-Barbigha, District-Sheikhpura
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-02-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Excise Case No. 386 of 2017 arising out of Barbigha P.S.
Case No. 219 of 2017 registered for the offence punishable
under Sections 272, 273, 414, 420, 467, 468, 188 of the
Indian Penal Code and Section 30 of the Bihar Excise
Prohibition Act, 2016.

The allegation is regarding recovery of 84 liters of
illicit liquor from the house of one Arvind Tripathi.

The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in
the present case although no recovery has been made from
the conscious possession of the petitioner and in fact,
recovery has been made from the house of the co-accused,



namely, Arvind Tripathi. It is submitted that though the petitioner is accused in five other cases, however, he is on bail in four of them and it is submitted that the petitioner is ready to abide by such conditions as may be imposed by this Court for the purposes of grant of regular bail considering the bad antecedent of the petitioner herein. The petitioner is stated to be languishing in custody since 29.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Session Judge, Sheikhpura in connection with Excise Case No. 386 of 2017 arising out of Barbigaha P.S. Case No. 219 of 2017.

It is needless to state that in case, the petitioner is implicated henceforth in similar type of cases with similar allegations, the present privilege of regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

ajay gupta/-

U		T	
---	--	---	--

