

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51229 of 2019**

Arising Out of PS. Case No.-514 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

MITHILESH KUMAR @ MITHLESH KUMAR @ BECHAN KUMAR @
BECHAN Son of Late Bhairo Mandal Resident of Mohalla - Pashami Tola
Chhoti Sahebganj, P.S.- Vishwavidhyalaya (Kotwali), Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

3 27-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Kotwali (Barari) P.S. Case No. 514 of 2018 for the offenses
under Sections 30 (a) of the Bihar Prohibition & Excise Act,
2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. Earlier prayer for bail was
rejected by this Court in Cr. Misc. No. 60142 of 2018 vide order
dated 29.10.2018. The Court while rejecting the bail noticed that
huge quantity of illicit liquor was recovered. However, liberty
was granted to the petitioner to renew prayer for bail after six
months if no substantial progress is made out in the case. It is



nearly 11 months completed since the order dated 29.10.2018.

The petitioner is in custody since 09.08.2018.

Considering the aforesaid facts and circumstances, the Court is inclined to grant bail to the petitioner subject to cash deposit of Rs. 50,000/- (Fifty thousand) in the Court below and on deposit of the same, the Court below shall release the petitioner, above named, on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District & Sessions Judge cum Special Judge Excise, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 514 of 2018, subject to the conditions that; the petitioner shall extend full cooperation in early conclusion of trial; in the event if the petitioner fails to attend the trial for two consecutive days without any cogent reason, the Court below shall cancel the bail bond of the petitioner.

The cash deposit of Rs. 50,000/- shall abide by the final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

uma/-

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

