

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31643 of 2020

Arising Out of PS. Case No.-57 Year-2020 Thana- SARAIYA District- Muzaffarpur

MITHUN KUMAR @ MITHUN KUMAR PASWAN Son of Late Mishrilal
Paswan Resident of Village - Marwa Pakar, P.S.- Saraiya, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish Giri
For the Opposite Party/s : Smt. Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 18-12-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Saraiya
P.S. Case No. 57 of 2020, disclosing offence punishable under
Sections 272, 273, 120-B of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2018.

Allegedly, during the course of a raid conducted by
the police, 98.64 litres of illicit liquor was recovered. One Lalu
Rai was apprehended at the spot. On the same day, another raid
was conducted during which the police had recovered 334.86
litres of illicit liquor and had apprehended two persons at the
spot, who are said to have disclosed the petitioner's name as the
person who had managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that his implication is only on the basis of so



called disclosure made by the persons who were apprehended by the police, except that there is no allegation against this petitioner, he contended. He has further submitted that co-accused Lalu Rai has been allowed regular bail by this Court by an order dated 03.03.2020, passed in Cr. Misc. No. 14951 of 2020.

Considering the facts and circumstances, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in Saraiya P.S. Case No. 57 of 2020.

However, considering the petitioner's criminal antecedent, it is directed that if the petitioner is found indulging in similar offence, in future, the prosecution shall be at liberty to apply for cancellation of bail granted by virtue of the present order.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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