

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33103 of 2020

Arising Out of PS. Case No.-259 Year-2020 Thana- SARAIYA District- Muzaffarpur

MITHILESH KUMAR Son of Mewalal Resident of Village - Bada Bypass
Kanpur, P.S.- Bada Bypass, Dist. - Kanpur, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Uma Kant Mishra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 17-12-2020 In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 05.12.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Saraiyaa P.S. Case No. 259 of 2020, registered under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The accusation is that on receiving secret information about carrying of liquor loading on the truck, the informant and other Police personnel started checking of



vehicles and during the course of checking, a truck bearing registration No. BP19H-8191 was intercepted then several bottles of Indian made foreign liquor, kept in cartons, in volume of 4455.750 liters recovered. The driver of the truck disclosed his name Mithilesh Kumar (Petitioner), son of Mewalal, resident of village Bada Bypass, Kanpur and on query, he also disclosed that on the instruction of owner of the truck, he was going to unload the loaded materials to Lalbabu Sahni of village-Madhaul, P.S. Saraiyan, Mukesh Rai and Pintu Sah.

Learned counsel appearing for the petitioner submits that petitioner is the driver of the truck. The petitioner has no criminal antecedent and he is in custody since 28.04.2020.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Saraiyaa P.S. Case No. 259 of 2020.

(Rajendra Kumar Mishra, J)

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