

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81881 of 2019**

Arising Out of PS. Case No.-767 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Mithilesh Kumar @ Mithilesh Kumar Jha @ Mithu Kumar Son of Naresh Jha  
R/o Village- Murgi Farm, Lauka Tola, P.S.- K.Hat (Madhubani), District-  
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      13-01-2020      Heard the learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks regular bail in connection with  
Khazanchi Hat (Madhubani) P.S.Case No.767 of 2019 instituted  
for the offences punishable under Sections 272 and 273 of the  
Indian Penal Code and Section 30(a) of the Bihar Prohibition  
and Excise Act, 2016.

95 liters of liquor was allegedly recovered from the  
poultry farm of the petitioner. Petitioner has stated on oath that  
he has got no criminal antecedent. He is in custody since  
15.10.2019. Investigation of the case is already complete.

Considering the quantity of liquor and punishment  
prescribed under the law, in my view, petitioner should be



released on bail only *after framing of the charge*. Hence, the trial court is directed to frame the charge at the earliest.

After framing of the charges, let the petitioner be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge--cum-Special Judge, Excise, Purnea in connection with Khazanchi Hat (Madhubani) P.S.Case No.767 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and also that the petitioner shall not leave the country without permission of the Court.

**(Birendra Kumar, J)**

B.Kr./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

