

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17577 of 2021

Arising Out of PS. Case No.-126 Year-2019 Thana- CHACKMEHSI District- Samastipur

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MITHU RAY @ MITHU KUMAR @ MITTHU RAI, SON OF RAM
LAGAN RAY, R/O VILLAGE NIMA CHAK HAIDAR PS CHAKMEHSI,
DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 272, 273 and 34 of the Indian Penal Code and sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the FIR, on a raid being conducted about 475 litres of liquor was recovered from five vehicles and one Shahrukh was taken into custody. On inquiry, he disclosed the name of the other accused persons including the petitioner herein as those doing business in liquor.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession. He has been falsely implicated in the case because



of his antecedent. There is no material against him except the confessional statement of co-accused made before the police. He is in custody since 1.10.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 1.10.2020, the petitioner is directed to be enlarged on bail in connection with Chakmehsi P.S. Case no. 126 of 2019 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 Addl. Sessions Judge II – cum – Special Judge, Excise, Samastipur.

(Partha Sarthy, J)

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