

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20139 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- HISUWA District- Nawada

MITHLESH CHAUDHARY Son of Darogi Chaudhary Resident of Village -
Tungi Chak, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-07-2021 Heard Mr. Man Mohan Kumar, learned counsel for
the petitioner and Mr. Tapeswar Sharma, Additional Public
Prosecutor for the State through video conferencing.

2. Petitioner seeks regular bail in connection with
Hisua PS Case No. 135/2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Act.

3. The allegation, as per prosecution case, is that the
police on the basis of confidential information, that the
petitioner along with other accused persons were engaged in
preparing and selling of illicit liquor, proceeded towards the
place of occurrence and recovered 30 litres of *Java Mahua*
from the spot and on enquiry it was revealed that the petitioner
along with other accused persons were preparing the illicit



country made liquor.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises belonging to him.

5. Learned counsel further submits that name of the petitioner has come on the basis of secret information, allegedly, received by the police. Learned counsel next submits that the petitioner is in custody since 05.11.2020 and the charge-sheet has been submitted in the matter.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 05.11.2020, the charge-sheet has been submitted in the matter and no illicit liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, MITHLESH CHAUDHARY be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge-II-cum-Special Judge, Nawada in connection with Hisua PS Case No. 135/2020.

8. It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines of social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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