

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40079 of 2021**

Arising Out of PS. Case No.-133 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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MITHUN KUMAR S/O PRAMOD KUMAR R/o village- Giriyak, P.S.-
Giriyak, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Sharma
For the Opposite Party/s : Mr.Surendra Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
G.O. Case No. 133/2021, registered for the offence punishable
under Section 30(a) and 56(b) of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 304.2 liters of
illicit liquor from a vehicle in which the petitioner was found
sitting.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is
languishing in custody since 16.3.2021. The learned counsel



for the petitioner has further submitted by referring to paragraph no. 10 of the present petition that the petitioner is not the owner of the car in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the car in question and is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten 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 G.O. Case No. 133 of 2021.

(Mohit Kumar Shah, J)

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