

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40693 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- JAYRAMPUR District- Sheikhpura

MITHLESH KUMAR, S/o Ishwar Prasad, R/o village Shivaji Nagar,
Faijabad, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He submits that there is no recovery from the conscious possession of the petitioner rather 3752.64 liters of foreign liquor is said to have been recovered from a truck. The



petitioner is in custody since 22.03.2021 and he has got one criminal antecedent of similar nature as stated in paragraph-3 of the bail petition.

Petitioner is agreed to deposit a sum of Rs.50,000.00 (rupees fifty thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Excise Case No.115 of 2021, arising out of Jairampur P.S. Case No.06 of 2021, subject to the conditions:

(i) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(iii) The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of



Rs.50,000.00 (rupees fifty thousand) in the Chief Minister
Relief Fund Bihar.

(Anjani Kumar Sharan, J)

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