

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12416 of 2021

Arising Out of PS. Case No.-46 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

=====

MITHILESH SINGH Son of Sitaram Singh Resident of Village - Bediwan,
Madhuwan, P.S. - Pipra, District - East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise Case No. 46 of 2019 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on a raid being conducted, it is stated that 140 liters of spirit was recovered from the hut of the three accused including the petitioner herein. It is further stated that the accused fled away.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his person or possession. He has no concern with the alleged hut from



which the recovery is stated to have been made. He has been falsely implicated in this case because of his antecedent. He is in custody since 14.9.2020 and charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner has an antecedent under the Bihar Prohibition and Excise Act.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner having remained in custody for over nine months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Excise Case No. 46 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 Additional Sessions Judge- XIII- cum - Incharge, Special Court Excise, East Champaran, Motihari.

(Partha Sarthy, J)

Prakash/-

U		T	
---	--	---	--

