

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40890 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- KANHauli District- Sitamarhi

Mithilesh Kumar Ray Son Of Upendr Ray Resident Of Village - Muraha Dih ,
P.S. - Kanhauli , District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Kanhauli P.S. Case no. 93 of 2020 registered under section 414 of the Indian Penal Code and section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per allegation in the F.I.R., 72 litres of Nepali liquor was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no recovery, as alleged, has taken place from the person or possession of the petitioner. He has been falsely implicated in the case. The petitioner is in custody since 11.09.2020 and has no criminal antecedent.



The application for bail is opposed by learned A.P.P.
for the State.

In the facts and circumstances of the case and especially in view of the fact that the petitioner is in custody since 11.09.2020 and has no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kanhauli P.S. Case no. 93 of 2020 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 A.D.J.II-cum-Special Judge, Excise Act, Sitamarhi.

(Partha Sarthy, J)

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