

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12831 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

Mithun Kumar Son of Wakil Mandal R/o Village- Sachidanand Nagar, P.S.-
Tilkamanjhi, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Kotwali (Tilkamanjhi) P.S. Case No. 56 of
2022 registered for the alleged offence under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

Allegedly about 10 liters of illicit country made
Mahua liquor was recovered from the house of the petitioner.

The learned counsel for the petitioner submits that the
petitioner is innocent and no incriminating article has been



recovered from the conscious possession of the petitioner. Both the witnesses of the seizure list are police personnel and there is no independent witness. Though the recovery has been made from the house of the petitioner none of the family members have been made a witness. The petitioner is in custody since 22.01.2022.

Learned A.P.P. for the State has opposed the prayer of bail submitting that the petitioner has three cases of similar nature pending against him.

Having regard to the submissions made hereinabove and considering the period of custody of this petitioner and the quantity of recovered illicit liquor, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Excise Court No. 2, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No. 56 of 2022, subject to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and



every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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

