

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55756 of 2022**

Arising Out of PS. Case No.-129 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Buxar

=====

Mithilesh Yadav Son of Jhugur Yadav @ Chhagur R/O Village- Mangolpur,  
P.S.- Itarhi, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      24-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioner seeks bail in  
connection with Buxar Excise P.S. Case No. 129 of 2022  
registered for the alleged offences under Section 30 (a) of the  
Bihar Prohibition Act and Excise (Amendment) Act, 2018.

As per prosecution case, police received secret  
information about transportation of illicit liquor from a Bolero  
vehicle. The said vehicle was intercepted and the petitioner  
along with three other co-accused persons was apprehended  
from the said vehicle and on search of this vehicle, total 172.8



litres of illicit India made foreign liquor was recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was merely a co-passenger and he has no knowledge about the illicit liquor kept in the vehicle. Nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is in custody since 20.08.2022 and charge-sheet has been submitted. The petitioner has got no criminal history.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner with his period of custody and the submission of charge-sheet, the petitioner above named 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, Excise Court No.2, Buxar in connection with Buxar Excise P.S. Case No. 129 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

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



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on 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)**

Rajnish/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

