

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70923 of 2021**

Arising Out of PS. Case No.-39 Year-2021 Thana- BUDHUCHAK District- Bhagalpur

MITHUN YADAV @ MITHUN KUMAR YADAV Son of Bachhi Yadav @ Shashwat Yadav Resident of Village - Budhuchak, P.S. - Budhuchak, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-02-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with Budhuchak P.S. Case No. 39 of 2021 instituted for the offences under Sections 188, 290, 341, 323, 504 of the Indian Penal Code read with Section 37(C) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.10.2021, charge-sheet has been submitted and has antecedent of three cases.

Allegation in the FIR is that the petitioner was found in an inebriated condition.



Learned counsel for the petitioner submits that petitioner has been falsely implicated and no test was done with regard to the allegation that he was in an inebriated condition and came to be falsely implicated merely because he was not willing to grease the palm of the police.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Bhagalpur in connection with Budhuchak P.S. Case No. 39 of 2021.

(Satyavrat Verma, J)

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