

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21101 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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MITHLESH KUMAR YADAV Son of Ghutar Yadav R/V- Jankidih PS-
Chanan Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 10-05-2023 1. Heard learned counsel for the petitioner and
the learned APP for the State.
2. Petitioner seeks regular bail in connection
with JAM No.59 of 2023 dated 16.01.2023 registered for the
offence(s) punishable under Section(s) 30(a) of the Bihar
Prohibition and Excise Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that the instant matter
relates to the recovery of 24 litres of illicit country-made wine
and the same is stated to have been recovered from a motorcycle
in possession of the petitioner but in actual the petitioner had no
concern with the seized motorcycle and the same belongs to
another person namely Ghutar Yadav and the petitioner has



falsely been roped in this case merely on suspicion and he has been languishing in jail since 17.01.2023 and against him the investigation has been completed and there is no independent witness of the recovery of the alleged wine though against the petitioner there are criminal antecedents of three cases but he is on bail in all the said cases.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the completion of investigation against the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner **be released on bail after framing of charge, if the same has not been framed** in connection with JAM No.59 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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