

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31453 of 2023**

Arising Out of PS. Case No.-342 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.  
District- East Champaran

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Mithu Mahto @ Mithu Kumar Son Of Dineshwar Mahto Resident Of Village-  
Banjariya Pandal, Ps- Banjariya, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate  
For the Opposite Party/s : Mr.Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      22-05-2023                      Learned counsel for the petitioner is permitted to  
  
remove defect (s), as pointed out by the office, if any, within a  
  
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner has preferred this application for grant  
of regular bail in connection with Excise P.S. Case No. 342 of  
2023 dated 08.02.2023 registered for the offences punishable u/s  
30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on seeing the police, two  
persons started fleeing away, but they were apprehended by the  
police and disclosed their names as Mithu Kumar ( the  
petitioner ) and the co-accused Ritesh Kumar. On search, 70



litres toddy was recovered from the motorcycle.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner of the said motorcycle. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 09.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Excise P.S. Case No. 342 of 2023.

The application stands allowed.

**(Chandra Prakash Singh, J)**

atul/-

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